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MEMORIAL HISTORY

OF

AUGUSTA, GEORGIA

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FROM ITS SETTLEMENT IN 1735 TO THE CLOSE OF THE EIGHTEENTH CENTURY BY

CHARLES C. JONES, JR., LL.D.

FROM THE CLOSE OF THE EIGHTEENTH CENTURY TO THE PRESENT TIME BY

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PREFACE.

THIS is the first time that the history of that old and solid city—Augusta, Ga.—has ever been written. It has been said that Americans have been too busy making history to write it, and the observation is true. The formative period always precedes the preservative period; first comes the pioneer, and long afterward the annalist. Romulus lived many centuries before Livy. Accordingly it is that American history has been late in writing. The annals of the States and of the general government have, it is true, been fairly well recorded—though this is largely due to the fact that the historian had the archives of older nations, connected by discovery and conquest with the New World to resort to, but the story of American cities has been, until of recent years, almost a blank. Even the great metropolis of the country, New York, is better known, as to its early days, by the sweetly-flowing Knickerbocker history of Washington Irving than by any actual and prosaic account. New Amsterdam and its old Dutch burghers in bulbous hose and long stemmed pipe; the choleric Governor Stuyvesant and his placid excellency Wouter Von Twiller, all rise before us at the very mention of the early history of the great American city, and yet all this is mere fancy, not fact.

Municipal history was, until of late years, an untrodden field. The harvest was plenteous, but the laborers few, if any. Into this field the publishing house of D. Mason & Co. entered not so many years since, and of the many local histories since then published by them, it may well be doubted if any have excelled, or, perhaps equalled in scope, completeness and interest the work it is the office of this preface to introduce.

Various causes have conspired somewhat to delay the production of this history, and yet there has been less a delay than a growth. In the additional time afforded them, the publishers have been enabled to amplify and enrich their theme. Opportunity has been afforded to explore new treasure-houses and thence extract fresh riches. The work has been amplified, adorned, and polished until it is confidently presented as a model municipal history. The whole career of an American city one hundred and fifty years old—older than the old French War, older than the rising of the Jacobites under Bonnie Prince

Charlie in the '45; older than Blackstone's famous Commentaries—has been thoroughly and carefully explored.

In early days Georgia was but a strip of population on the west bank of the Savannah River, with one city, Savannah, at the southern, and another, Augusta, at its northern extremity. The growth of the commonwealth being for several generations in a northerly and northwesterly direction, made the upper metropolis a great center; and hence it is that for years the history of Augusta epitomizes that of the State. Here were held the great councils with the chieftains of the forest in the days of Indian supremacy; here was the State capital during the next great Epoch, that of the Revolution; and here the Constitution of the United States was ratified when American government, State and Federal, assumed permanent form.

He who reads this history will, therefore, read more than the annals of a mere municipality. He can see, traced from its first foundation, the legal, educational, financial, and industrial history of the State itself. Rising from the perusal of the work, the reader will have acquired information for which he will in vain consult all the histories of Georgia that have heretofore been written. True, the magnificent work of Colonel C. C. Jones on the colonial period of the State, leaves little, if anything, to be desired as to that special epoch, but from that time forward the history of Georgia may be best seen in all matters non-political, in these pages. The history of the judicial establishment of the State has never been written as it is here written. To instance its completeness, it may be remarked that even so well informed a jurist as Mr. Justice Story in his great work on Equity Jurisprudence says: "In America Equity Jurisprudence had its origin at a far later period than the jurisdiction properly pertaining to the Courts of Common Law. In many of the colonies, during their connection with Great Britain, it had either no existence at all, or a very imperfect and irregular administration." The reader interested in this particular subject, may therefore be surprised to find in this work a complete account of the Colonial Court of Chancery in Georgia, showing that Equity Jurisprudence existed here in full vigor years before the Revolution. The very details of the then practice are set out and even the forms of precedents and items of the chancery fee bills are preserved and reproduced.

In the all-important field of railroading will be found the history of two of the oldest railroads in the United States, the South Carolina and Georgia, centering in Augusta. The progress of the latter, in particular, is given year by year from the time the first meeting to organize a company was held, and in all the varying phases of railroad development, from the first passenger car, then called "coach," looking much like an old-fashioned stage coach, and propelled by sails, down to the steel track, parlor car, and ponderous "Mogul" engine of the present day.

The growth of manufactures is also traced from the time Whitney op-

erated his first cotton-gin on a mill pond near the city to the present huge factories which line a canal inferior only in length to the great Erie Canal. In connection with the rise of the cotton industry is told the story of the old indigo field and tobacco plantations.

In the educational world the reader begins with an ancient institution of learning, only excelled in its antiquity by Yale and Harvard; and is thence brought up to the systems of the present day. Statistics never before gathered and grouped together on this subject in Georgia are to be found in this work.

The physician, the divine, the banker, will find the history of medicine, religion, and finance in this city exhaustively treated. Particularly in the latter field will the work be found of more than local interest, since the theme has broadened into a sketch of banking in Georgia from the earliest days.

The history proper of the city as a municipal organization, has, of course, received special attention. The original limits of the city are for the first time definitely located and described, and from that day up the extension of the corporate limits is carefully and accurately traced. Biographical sketches of the chief magistrates of the city from the earliest days are given, as also a complete list of their names and terms of office. Beside these sketches there are also numerous biographies of eminent judges, lawyers, physicians, divines, bankers, and citizens generally of the past. Still further there are sketches of many of the living leaders of the city, this part of the work being embellished with steel engravings of the highest order of artistic elegance.

In one word, this work is, as we have stated, a model municipal history. It has been prepared with care, diligence, research and skill, and while valuable now, will, as the years go on, become a priceless repository of information on the topics of which it treats. All the first portion of the work, up to the beginning of the municipal history proper, is from the pen of Colonel C. C. Jones, jr., a distinguished citizen of Augusta, author of many elaborate and valuable works on Georgia history, and beyond all question, the leading antiquarian and archæologist of the State, if not indeed of the entire South, or of this country. The residue of the work is from the pen of Salem Dutcher, esq., a member of the Augusta bar. The biographical sketches are by various hands.

The mechanical execution of the volume speaks for itself. The skill of the typographer and binder has been successfully laid under tribute, and with a just pride in their work in all its parts, this History of Augusta is confidently submitted to the popular judgment by

THE PUBLISHERS.

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MEMORIAL HISTORY

OF

AUGUSTA, GEORGIA.

PART I.

CHAPTER I.

Physical and Social Characteristics, Customs. Manufactures, Occupations and Monuments of the Georgia-Tribes of Indians.

BEFORE entering upon our contemplated sketch of the settlement and early history of Augusta, a brief account of the physical and social characteristics, the customs, manufactures, monuments and occupations of the Indians resident in this region at the time of the advent of the European, may be deemed neither inappropriate nor uninteresting.

When Oglethorpe planted the colony of Georgia at Yamacraw Bluff, he was welcomed by a small tribe of Indians, who had there fixed their homes, led by a venerable and noted chief, Tomo-chi-chi by name. The ceded lands lying between the Savannah and the Alatamaha Rivers and extending from their head waters indefinitely toward the west, were then occupied by an Aboriginal population the principal settlements of which were established in the vicinity of rivers, in rich valleys, and upon the sea islands. The middle and lower portions of this and the adjacent territory were claimed and occupied by the Muskhogees or Creeks, consisting of many tribes, and associated together in a strong confederacy. The lands possessed by the Muskhogees comprehended the seats of the Seminoles in Florida, and were bounded on the west by Mobile River and by the ridge which separates the waters of the Tombigbee from those of the Alabama, on the north by the Cherokee country, on the north and east by the Savannah River, and otherwise by the Atlantic Ocean and the Gulf of Mexico. The Hitchittees, residing on the Flint

and Chattahoochee Rivers, although originally a distinct people, spoke the Muskhogee dialect and formed a component tribe of the Creek confederation. The Seminoles or Isty Seminoles (wild men) were pure Muskhogees, and received that name because they subsisted chiefly by hunting and were little given to agricultural pursuits. They inhabited the peninsula of Florida. Both the Muskhogees and the Hitchittees claimed to be antochthonous; the former asserting that their nation, in the beginning, issued out of a cave near the Alabama River, and the latter boasting that their ancestors had fallen from the sky. The Uchees and the Natchez yielded obedience to the Muskhogee confederacy. Of the former, the original seats are supposed to have been east of the Coosa. They declared themselves to be the most ancient inhabitants of the territory; and it has been suggested that they were the people called Appalaches by the historians of De Soto's expedition. Early in the eighteenth century they dwelt upon the western bank of the Savannah River; and, as late as 1736, possessed the country above and below the town of Augusta. The name of a creek in Columbia county perpetuates their memory to the present day, and reminds us of their former occupancy of this region. Forsaking their old habitat on the left bank of the Mississippi, and journeying eastward, the Natchez associated themselves with the Creeks not many years prior to the advent of Oglethorpe. The division into Upper, Middle, and Lower Creeks was wholly artificial, and was adopted by the English for geographical purposes. Cussetah, Cowetah, Tukawbatchie and Oscoochee may be mentioned among the principal towns of the Creeks. The Muskhogee, the Hitchittee, the Uchee, the Natchez, and the Alibamon or Coosada, were the languages generally spoken by the various tribes composing the Creek confederacy. Besides the nations we have enumerated as yielding obedience to, and forming part of the Muskhogee confederation, remnants of the Cawittas, Talepoosas, Coosas, Apalachias, Conshacs or Coosades, Oakmulgis, Oconis, Okchoys, Kiokees, Alibamons, Weetumkas, Pakanas, Taensas, Chachsihoomas and Abekas should not be forgotten.

North of Muskhogees dwelt the Cherokees, a brave and comely race. They inhabited the hilly and mountainous parts of the country, and exercised dominion even beyond the Tennessee River where they were confronted by the Shawnees. The entire region permeated by the sources of the Coosa, the Chattahooche, the Savannah, the Santee and the Yadkin, was held by them. Between the Cherokees and the Muskhogees the division line followed Broad River, and, generally, the thirty-fourth parallel of north latitude.

Of the number of red men dwelling, at the date of English colonization, within the geographical limits accorded to the modern State of Georgia, we may not speak with certainty. No census was taken, and all estimates then formed were mere approximations. We question whether the total population exceeded fifty thousand. These Southern tribes, at the period of our first

acquaintance with them, were well organized, occupied permanent homes, and were largely engaged in the cultivation of maize, beans, pumpkins, melons, and fruits of several sorts. Of native nuts they were fond. From them was extracted an oil, "clear as butter, and of a good taste," says the gentleman of Elvas. With the bow and arrow, the blowgun, the spear, and the club, were wild animals and birds killed for food. Fishes were captured with nets and harpoons, in wears, and by other ingenuous mechanical contrivances.

Their plantations were located in rich valleys where a generous soil yielded, with least labor, the most remunerative harvest—upon islands and headlands, and in the vicinity of streams where the products of the fields were readily supplemented by the fishes of neighboring waters and the game of adjacent forests. The grooved stone ax was employed in girdling trees. The circulation being thus interrupted, the trees perished, and were then either consumed by fire, or suffered to fall down and rot piecemeal.

While to tribes, nations, and confederacies were accorded recognized territorial limits, and while in such public domain, with its rivers, lakes and woods, each member exercised equal rights for the purposes of travel, hunting and fishing, a special or temporary ownership was admitted in lands cleared and cultivated by individual labor. If at first denuded of its forest by the united efforts of the villagers, the town plantation was subsequently parceled out among the adult inhabitants, who were thereafter entitled to reap the fruits of their personal industry. Each year, at an appointed season, under the superintendence of overseers, the inhabitants of the village prepared the ground and sowed the seed. Upon the ingathering of the harvest, each Indian deposited in his crib the yield of his particular lot; contributing, however, a certain portion to the public granary, or King's storehouse. These public granaries served also as depositories for dried fishes, alligators, dogs, deer, bear and other jerked meats. From them were the chiefs supplied, and their contents were utilized in entertainment of strangers, for the relief of members of the community who might be overtaken by want, and in furnishing rations to warriors when setting out upon an expedition.

Besides his lot in the general plantation, each villager cultivated a garden spot near his habitation, where maize, melons, beans and other vegetables were produced. Various were the ceremonies and festivals observed by these primitive peoples when planting and harvesting the maize, and very general was its adoption as an article of food. Perhaps nothing tended more surely to develop and consolidate the Southern tribes, and to render permanent their habitations, than the extensive cultivation of this important American plant.

Their towns were usually small, and circular in outline. Not infrequently they were defended by stockades, enclosing spaces varying from two to fifty acres. The central position in the village was occupied by the dwelling of the mico, chief, or king. Around it, in the order of rank, were congregated the

houses of the head men. The cabins of the common people were circular or parallelogrammic in plan. Their walls were made of upright poles, and their roofs were covered with swamp-cane, palmetto leaves, moss, or earth. Each village had its council-house where public deliberations were held. Some times, as at Talomeco, there was a mausoleum wherein were preserved the skeletons of distinguished kings and priests. Occasionally, too, was erected an armory for the conservation of weapons and treasures. If located at a remove from river, lake, or natural spring, an artificial pond was excavated to furnish the town with the requisite supply of fresh water.

Ephemeral in their character, these primitive structures were liable to early decay, and had to be constantly renewed. At certain seasons these villages were almost deserted of their inhabitants, who repaired in large numbers to favorite streams and to the coast to fish and hunt.

At the period of our earliest acquaintance with them, these people were divided into families, tribes, and confederacies. Over the confederacy or nation ruled a king, counseled and supported by chiefs of component tribes. The office was elective, and the advancement to the highest grade was usually accorded to him most worthy of the responsible position. As chief magistrate, he presided over the grand council, commanded the entire labor and obedience of his subjects, directed public affairs both civil and military, and, with powers well nigh despotic, exercised the functions of king, judge, adviser, master, and leader. To subordinate chiefs was conceded rank according to their age, wisdom, valor, and the strength of their following. Head warriors, high priests, and conjurers were important personages in this primitive society. The latter often united the callings of priest, physician, and fortune teller. Presumed to be in constant communication with spirits both good and evil, addicted to numerous and extravagant incantations, possessing charms mysterious, and to the common mind inexplicable, indulging in prolonged and violent contortions while practicing their deceptions, exhibiting no inconsiderable knowledge of simples, philters and medicinal herbs, administering fumigations, inhalations, baths, blood-lettings, scarifications, local applications and emetics, these medicine men imposed largely upon the credulity of the community, and exacted liberal rewards from their patients, who, in pain and superstition, regarded the ravings of these quacks as the utterances of a divine tongue, beheld the behavior of these cunning impostors with awe, and submitted without hesitation to the remedies they prescribed. Beyond doubt, however, these medicine men excelled in the treatment of many distempers, and remarkable were the cures which they effected.

Both the Muskhogees and the Cherokees were, at the time of our first acquaintance with them, and had been for a long time, engaged in the erection of tumuli of earth, stone, and shells. Some of no mean dimensions were constructed within the historic period, while most of them have withstood the dis-

integrating influences of many centuries. Animal, bird-shaped, and emblematic structures are rarely seen. Space does not permit us to attempt a classification or description of these prominent indications of early occupancy and primitive labor, and yet we cannot refrain from alluding to the existence of truncated pyramids, constructed of earth, rising from ten to seventy-five feet above the level of the valleys and plains upon which they are located, constituting elevations for temples for sun worship, and at other times foundations for the residences of kings, chiefs, and priests; of conical mounds truncated, and placed upon commanding bluffs and hilltops, which served as signal stations in this densely wooded region; fires kindled upon their summits with their glare by night and their smoke by day giving tokens which, repeated from kindred mounds along the reaches of rivers or on answering eminences, within a period much shorter than that allotted to the swiftest runner, warned tribe and nation of impending danger; of artificial elevations, springing from the depths of extensive swamps liable to inundation, which served either as retreats during seasons of sudden overflow, or as foundations for the dwellings of those who there hunted and fished; of grave-mounds, sometimes containing a single skeleton and denoting the last resting place of king or priest, and at other times covering the many dead of family or tribe; and of stone-piles designating the spots where warriors of note had fallen in battle.

Cremation and urn-burial in some localities were in vogue. Were we not precluded by the general character of this sketch, it would be interesting to note the funeral customs observed by these Georgia tribes, and to describe the various modes of sepulture adopted by them. Nor are we now permitted, in enumerating the proofs of early possession and combined labor, to do more than refer to the presence of circumvallations of earth and stone by which hilltops and eminences were fortified; to the existence of embankments of earth and ditches isolating considerable areas and protecting villages, temple-mounds and playgrounds; to the traces of fish-preserves, of chunky-yards, of pottery kilns, of pits whence clay was dug for the manufacture of fictile ware, of excavations where pot-stone was quarried, and of open air workshops. Among these indicia of primitive occupancy may also be mentioned extensive refuse piles and shell-heaps composed of marine, fluviatile, and lacustrine shells, upon the animals of which the natives fed, and from which they extracted pearls in large quantities.

Aside from the profuse and fanciful ornamentation of their bodies with pigments of red, white, blue, yellow, and black, these Indians displayed no inconsiderable taste in depicting signs, marks, images, and symbols on prepared skins, and on wood, bone and stone. The smooth bark of a growing tree, or the face of a rock was incised in commemoration of some feat of arms, in explanation of the strength or direction of a military expedition, or in solemnization of a treaty of peace. Upon precipitous slopes, and at points al-

most inaccessible have been noted carved and colored representations of the sun, accompanied by rude characters the significance of which is in the main unintelligible to the modern observer. Roughly cut intaglios in imitation of the human form, of the hands and feet of men, of the tracks of buffalo, deer, and other animals, of bows and arrows, canoes, circles, and other devices are still extant. Ignorant of alphabet, phonetic sign, or digit, these people by means of this primitive system of picture writing and intaglios sought to perpetuate the recollection of prominent events, and, by such visible shapes, to communicate intelligence. This effort was supplemented by the use of wampum. Their boldest attempts at sculpture are represented by stone images which encourage the impression that while they acknowledged the existence of a Great Spirit, venerated the sun as the source of life and heat and light, and entertained some notions of a future state, these Indians were given to something nearly akin to idol or hero worship.

Ignorant of the use of iron and bronze, and treating it as a malleable stone, the Southern Indians hammered copper into various forms of utility and ornament. Among these may be enumerated ceremonial axes, gouges, chisels, knives, spearheads, arrow-points, wristbands, armlets, anklets, gorgets, spangles, beads, pendants, rods, and spindles for perforating pearls.

Famous were the arrowmakers of this region. Party-colored jaspers, smoky, milky, and sweet water quartz, crystal, chalcedony, and varieties of flint and chert were the favorite materials from which spearpoints and arrowheads were chipped. Every known variety here finds expression, and specimens of unusual beauty and symmetry abound. Their bows were as thick as a man's arm, eleven or twelve spans in length, of a single curve, and were capable of projecting arrows a long distance and with remarkable power. Bowstrings were made of stag's gut, or of deer-skin thongs, well twisted. A supply of arrows was carried in a fawn-skin quiver which depended from the right hip. The light, tough river cane formed the customary arrow shaft, and to it the stone, bone, or wooden tip was fastened by means of moistened sinews, a glue made of the velvet horns of the deer, and a resinous preparation. With such artillery did these people wage wars and provide themselves with buffalo, deer, wild turkeys, game of various sorts, and large fishes.

Of grooved axes, celts, perforated hatchets, and ceremonial axes, the varieties were abundant and the manufacture was most admirable. Stone hoes, adzes, picks, scrapers, gouges, awls, knives, cutting implements, saws, leaf-shaped implements, smoothing and crushing stones, hammer stones, spades, mortars, pestles, nut stones, and various objects of bone, shell and stone declare the occupation, industries and mechanical labors of these nations. Discoidal stones still remind us of the famous Chungke game, and many forms of pipes revive the memories of the native tobacco plant, and of the esteem in which it was held by the natives.

To the pottery of this region the knight of Elvas paid high compliment when he described it as "little differing from that of Estremoz or Montemor." Although unacquainted with the use of the potter's wheel, these savages excelled in the ceramic art, bestowing special care upon the selection of their clays and their admixture with powdered shells, gravel, and pulverized mica, and upon the forms and the ornamentation of their vessels. Surviving the changes of more than a century and a half, and affording glimpses of ancient tastes and customs, these fictile articles are among the most interesting remains which have come down to us.

Pearls and shell ornaments were extensively worn by the members of the Georgia tribes, both male and female. The oysters of the Gulf of Mexico and the pearl-bearing unios of the Southern rivers and lakes supplied, in great abundance, these coveted ornaments. Through the intervention of primitive merchants, and by means of extensive trade relations, they were carried far into the interior. He who traded in them was welcomed everywhere. From marine, fluviatile, and lacustrine shells were manufactured beads, gorgets, pendants, arm-guards, masks, pins, drinking cups, spoons and money. Margaritiferous shells were diligently collected. They were opened by fire. The animals they contained were eaten, and the pearls found within them were perforated and worn as beads about the neck, wrists, waist, and ankles.

Tall, erect, copper-colored, with long, straight, black hair, with prominent noses and cheek bones, with regular features, arched brows, and eyes rather small but active and full of fire; usually grave in deportment, reserved in conversation, tenacious of natural rights, hospitable to strangers, kind to members of their own tribe, honest, haughty and cruel to an enemy, crafty, valiant, capable of great endurance, indifferent to pain, and often engaged in war, expert in hunting and fishing, fond of music and dancing, observant of festivals, nimble of foot, skilled in the use of the bow and arrow, the club, the stone ax, the cane harpoon and the blowgun; patient of fatigue and hunger, yet given to idleness and frequent meals; addicted to smoking; acknowledging the existence of a Supreme Being; adoring the sun as the symbol of life and heat; entertaining some notions of an existence beyond the grave, plagued with visions, dreams, trances, and the influences of malign and lesser divinities—worshiping the devil and offering human sacrifices in propitiation of the spirit of evil—indulging to some extent in image worship, and perpetuating the memory of their distinguished dead by mounds and figures of wood and stone—excelling in the manufacture of fictile ware, boats of single trees, shawls, coverings, mantles beautifully woven and adorned with feathers, articles of dress made of the skins of buffalo, bear and deer, carefully prepared, dyed and colored—fishing lines and nets of the inner bark of trees, mats and baskets of split cane, reeds and rushes, and laboriously constructed wears for the capture of fishes—extensively engaged in the fabrication, use and interchange of various articles

and implements of wood, bone, shell, copper and stone; frequently monogamous—the contubernal relationship being dissoluble at the will of the male—the chiefs and principal men claiming and appropriating as many wives as fancy and station dictated; ornament-loving, jealous of their possessions; given to agriculture; obedient to kings; thus runs a general description of these primitive inhabitants prior to the advent of the Europeans. Certain it is that the inroads of these foreigners violently shocked this aboriginal population, imparting new ideas, introducing contagions formerly unknown, interrupting customs long established, overturning acknowledged forms of government, impoverishing whole districts, engendering a sense of insecurity until that time unfelt, instigating intertribal wars, causing marked changes, and entailing losses and demoralizations far more potent than we are inclined, at first thought, to imagine. The operation of that inexorable law which subordinates the feebler to the will of the stronger has compassed the utter expatriation of the red race from the limits of Georgia. Nevertheless, Indian memories linger among our hills, cling to our mountains, and are intimately associated with our noblest rivers. Tumuli still dot our valleys, and the plowshare upturns physical tokens of a former and an almost forgotten occupancy.

CHAPTER II.

Savannah Town—Settlement of Augusta—Earliest Descriptions of the Place—A Trading Post—Names of the First Traders.

AS early as 1716 Savannah Town, subsequently better known as Fort Moore, was located on the left bank of the Savannah River, only a few miles below the site at present occupied by the village of Hamburg. Its establishment and maintenance were favored by the Carolina authorities in order that a profitable trade with the Creeks and Cherokees might be facilitated. To this point goods were transported from Charles Town, both by land and water. The first agent in charge of the storehouse erected at this place was Captain Theophilus Hastings. He was assisted by John Sharp and Samuel Muckleroy. This settlement derived its name from the Sawannos, or Savannahs, a native tribe dwelling upon its banks and giving name to the river which flowed by.

So rapidly did the traffic with the Aborigines increase, that before the close of the year Hastings applied for three additional assistants to aid him in its conduct. At Savannah Town a laced hat then readily commanded eight buck skins; a calico petticoat could not be purchased for less than twelve;

and so great was the demand for salt, gunpowder, lead, kettles, rum, looking-glasses, ornaments, and other articles of European manufacture, that the traders were allowed by the commissioners to exact as much as the natives could be persuaded to give in exchange for them.

Upon the settlement of Augusta and the opening of storehouses at that place, Savannah Town lost ground as a trading post and eventually fell into decay. Fort Moore, however, built of six-inch plank nailed to posts of light-wood, with four towers at the angles on which small field-pieces were mounted, with curtains loopholed for small arms, and with wooden barracks capable of accommodating a garrison of one hundred men, was, for many years afterwards, preserved as a military establishment.

Having confirmed the settlements at Savannah, Darien, and Frederica, with a view to extending the limits of the colonization to the northward, and with the intention of influencing in behalf of the Province of Georgia the extensive Indian trade which had been monopolized by South Carolina, Mr. Oglethorpe, toward the close of 1735, ordered that a town should be marked out on the right bank of the Savannah River at the head of navigation and just below the falls. In honor of a royal princess he called it Augusta; and, during the following year, gave instructions for its population and defense. Warehouses were constructed, and these were supplied with such goods as the natives coveted. Regulations were promulgated and enforced looking to fair dealing between seller and purchaser. It was the purpose of the founder of the colony of Georgia, in all his dealings with the savages, to do equity, and to permit no commercial intercourse save by licensed traders who were held to strict accountability. The Indians soon perceived the advantages accorded to them by the Georgia agents, and quickly transferred to Augusta the traffic which hitherto had been conducted at Savannah Town.

At the outset the only communication with the town was by means of the Savannah River, which was utilized alike by traders ascending in boats from Charles Town and Savannah, and by Indians traversing the upper portions of the stream in canoes. Soon, however, a road was opened between Augusta and Savannah, by way of Ebenezer, which materially contributed to the convenience of the dwellers in those, at that time, distant localities.

The earliest account we have of Augusta is contained in "A State of the Province of Georgia, attested upon oath in the court of Savannah, November 10, 1740."[1] It runs as follows: "Seven miles above *New Windsor*, on the *Georgia* side, lies the town of *Augusta*, just below the Falls; this was laid out by the Trustees' Orders, in the Year 1735, which has thriven prodigiously; there are several Warehouses thoroughly well furnished with Goods for the *Indian* Trade, and five large Boats belonging to the different Inhabitants of the Town, which can carry about nine or ten thousand Weight of Deer-Skins

[1] pp. 6 and 7. London, MDCCXLII.

each, making four or five Voyages at least in a Year to *Charles-Town* for exporting to *England*; and the Value of each Cargo is computed to be from 12 to 1,500£ Sterling. Hither all the English Traders, with their Servants, resort in the Spring; and 'tis computed above two thousand Horses come hither at that Season; and the Traders, Pack-horsemen, Servants, Townsmen, and others depending upon that Business, are moderately computed to be six hundred white Men who live by their Trade, carrying upon Pack-horses all kinds of proper *English* Goods; for which the *Indians* pay in Deer-Skins, Bever, and other Furs; each *Indian* Hunter is reckoned to get three hundred Weight of Deer-Skins in a Year. This is a very advantageous Trade to *England*, since it is mostly paid for in Woollen and Iron.

"Above this Town to the North West and on the *Georgia* Side of the River, the *Cherokees* live in the Valley of the *Applachin* Mountains; they were about five thousand Warriors; but last year it is computed they lost a thousand, partly by the Small-Pox, and partly (as they themselves say) by too much Rum brought from *Carolina*. The *French* are striving to get this Nation from us; which, if they do, *Carolina* must be supported by a vast Number of Troops, or lost: But as long as we keep the Town of *Augusta*, our Party in the *Cherokees* can be so easily furnished with Arms, Ammunition and Necessaries, that the *French* will not be able to gain any Ground there.

"The *Creek Indians* live to the Westward of the Town. Their chief Town is the *Cowetas*, two hundred Miles from *Augusta*, and one hundred and twenty Miles from the nearest *French* Fort. The *Lower Creeks* consist of about a thousand, and the *Upper Creeks* of about seven hundred Warriors, upon the Edge of whose Country the *French* Fort of *Albamahs* lies: They are esteemed to be sincerely attached to his Majesty's interest.

"Beyond the *Creeks* lie the brave *Chickesas*, who inhabit near the *Mississipi* River, and possess the Banks of it; these have resisted both the Bribes and Arms of the *French*, and Traders sent by us live amongst them.

"At *Augusta* there is a handsome Fort, where there is a small garrison of about twelve or fifteen Men, besides Officers; and one Reason that drew the Traders to settle the Town of *Augusta* was the Safety they received from this Fort which stands upon high Ground[1] on the side of the River Savannah, which is there one hundred and forty Yards wide, and very deep; another Reason was the Richness and Fertility of the Land. The great Value of this Town of *Augusta* occasioned the General to have a Path marked out, through the Woods, from thence to *Old Ebenezer*; and the *Cherokee Indians* have marked out one from thence to their Nation, so that Horsemen can now ride from the Town of *Savannah* to the Nation of *Cherokees* and any other of the *Indian* Nations all on the *Georgia* Side of the River; but there are some bad places which ought to be causewayed and made good, and which the General says

[1] Now occupied by St. Paul's Church and cemetery.

he has not yet Capacity to do. This Road begins to be frequented, and will every day be more and more so, and by it the *Cherokee Indians* can at any time come down to our Assistance."

From another contemporaneous account we learn that in 1739 above six thousand bushels of Indian corn, and a considerable quantity of wheat, were harvested by the citizens of Augusta for home consumption; and that during the same year "about one hundred thousand Weight of Skins was brought from thence."[1]

The two tracts from which we have quoted, published under the sanction of the trustees and designed to convey a most favorable impression of the progress of the colony of Georgia, evoked counter statements from the disaffected. In one[2] of these we find the following statements and affidavits relating to the then condition of Augusta.

"A List of such Traders, Men, and Horses, as come from other Parts and only pass through or by Augusta in their Way to the Creek Nation.

Mess Wood and Brown, from S. Carolina	8 men.	60 horses.
Daniel Clark, from Ditto	4 "	20 "
Archibald McGilvray, from Ditto	3 "	18 "
George Cossons, from Ditto	4 "	30 "
Jeremiah Knott, from Ditto	4 "	30 "
Messrs. Spencer, from Mount-pleasant	3 "	16 "
Messrs. Gilmore, from Ditto	4 "	20 "
Mess rs. Barnett, from Ditto	3 "	20 "
Mess rs. Ladson, from Ditto	3 "	20 "
James Cossons, from South Carolina	5 "	30 "
George Golphin, from Ditto	4 "	25 "
William Sleuthers, from Ditto	4 "	25 "
	49	314

"A list of the whole Inhabitants of the Township of Augusta in Georgia.

Mr Kennedy O Brien	5 men.	3 women.	0 children.
Thomas Smith	1 "	1 "	0 "
Messrs Mackenzie and Frazer	5 "	1 "	0 "
John Miller	2 "	1 "	1 "
Thomas Goodale	2 "	1 "	2 "
Samuel Brown	2 "	1 "	1 "
Sanders Ross	2 "	0 "	0 "
A. Sadler	1 "	1 "	1 "
A. Taylor	1 "	1 "	0 "
William Clark	1 "	1 "	0 "
Henry Overstreet	1 "	1 "	4 "
Locklan McBean	2 "	2 "	1 "
William Gray	4 "	0 "	0 "
William Calabern	0 "	2 "	2 "
	29	16	12

[1] *An Impartial Enquiry into the State and Utility of the Province of Georgia*, p. 49. London. MDCCXLI.

[2] *A Brief Account of the Causes that have retarded the Progress of the Colony of Georgia in America, &c., &c.*, pp. 37 to 41. London, MDCCXLIII.

"A List of Traders, Men, and Horses employed from Augusta in the Chickasaw and Creek Trade.

George Mackay	4 men.	20 horses.
Henry Elsey	3 "	20 "
Messrs Facey and Macqueen	6 "	40 "
John Wright	4 "	20 "
John Gardner	3 "	20 "
William Calabern	3 "	15 "
Tho: Andrews, in Creek and Chickasaw Nations	8 "	70 "
Thomas Daval	3 "	20 "
John Cammell	3 "	20 "
Paul Rundall	3 "	20 "
Nicholas Chinery	3 "	20 "
William Newberry	3 "	20 "
	46	305

"SAVANNAH, July 14, 1741. JOHN GARDNER."

"The Day above written *John Gardner* of *Augusta*, *Indian* Trader, personally came and appeared before me, *John Fallowfield*, one of the Bailiffs of the Town of *Savannah*, and made oath that the said several Accounts of Traders, Horses, and Men employed in the *Creek* and *Chickasaw* Nations: and also the List of the white Persons, Men, Women, and Children now living in the Township of *Augusta* are, to the best of the said Deponent's Knowledge, *just* and *true;* and that the Persons residing in, and belonging to, the *Fort* of *Augusta* are not contained in the said Lists above, and on the other Side of this Paper Written. JOHN GARDNER.

"Sworn the Day and Year
above-written, at *Savannah* aforesaid.
"JOHN FALLOWFIELD."

"The Deposition of *Kennedy O'Brien*, of *Augusta*, in the Colony of *Georgia*, Merchant, one of the first Inhabitants of the said Township and a constant Resident therein ever since the first Settlement thereof, who, being duly sworn on the Holy Evangelists of Almighty God, saith: That, whereas, he hath been informed that a *Representation* hath lately been made and transmitted to the Honourable the Trustees for establishing the said Colony of *Georgia*, setting forth the flourishing State and Condition of the said Colony in general, and of the said Township of *Augusta* in particular, and the said deponent being willing to undeceive any or all who may be thereby induced to give credit to the said *Representation*, doth voluntarily, and of his own accord, declare and maintain the following Truths to be strictly just.

"1: That there are not more than *forty White Men*, Inhabitants and Residents of the said Township of *Augusta*, save only the Soldiers in Garrison there, which are about fifteen or twenty more.

"2: That all, or most of the *Corn* that hath been *made* and *raised* there, hath been wrought and *manufactured* by *Negroes* belonging to the said Inhabitants, and those opposite to them on the North Side of the River in *South Carolina*.

"3: That at least *one third Part of the Corn* reported to be raised in *Augusta* is raised in *South Carolina*, hard by the said Township.

"4: That there are not more than *five hundred Horses* employed in the *Indian* Trade, that resort to *Augusta*, altho' it is esteemed the *Key* to the *Creek*,

the *Chickasaw*, and the *Cherokee* Nations, and that the most of those Horses, and Persons employed about them and interested and concerned in them, do as often go to *New Windsor*, in *South Carolina* to trade, as to *Augusta.*

"5: That there are now in *Augusta* but *three trading* Houses, and those in a State of *Decay* and languishing Condition; and that through the *ill Regulation* of the *Indian Trade*

"And this Deponent further saith that no *Oyl*, *Wine*, nor *Olives*, hath ever been produced at *Augusta*, or hath ever been attempted to be raised or cultivated there to the best of this Deponent's Knowledge. And further this Deponent saith not. KENNEDY O'BRIEN.

"Subscribed and Sworn to before
me, this 9th day of July, 1741,
"JOHN PYE, Recorder."[1]

Deeming it very important to obtain the consent of the natives to the settlement of Europeans within the territory claimed by them, and regarding the good will of the Indians as essential to the secure and peaceable residence of the colonists, Mr. Oglethorpe directed his earliest attention to making treaties of alliance with the red men. That these treaties should include agreements for mutual intercourse and trade seemed not only prudent, but indispensable, particularly as Tomo-chi-chi, and the micos of the Creeks who accompanied him to England, had requested that stipulations should be entered into regarding the quantity, quality, and prices of goods, and the accuracy of the weights and measures used in determining the value of the articles offered in exchange for buffalo hides, deer-skins, peltry, etc. The trustees therefore established certain regulations designed to prevent in future the impositions of which the Indians complained. To carry these into effect it was thought proper that none should be permitted to trade with the Indians except such as should apply for and receive special license, and agree to conduct the traffic according to prescribed rules, and upon fair and equitable principles. It was, doubtless, of these regulations, intended to protect the natives, that the affiant, O'Brien, complained, when he alluded to the "ill regulation of the Indian trade." The introduction of rum and the employment of slave labor within the confines of Georgia were then strictly forbidden.

While the accounts furnished by the trustees, and those submitted by certain of the colonists who were not in accord with their purposes in the administration of the important trust, touching the early prosperity of Augusta, are not harmonious, it may not be questioned that this town, as a trading post, rapidly assumed an importance far beyond that which could be fairly claimed by any other settlement within the confines of the province. Multitudes of Indians flocked hither at certain seasons of the year. Hence the traders de-

[1] Compare "*A True and Historical Narrative of the Colony of Georgia in America*," etc. by Tailfer, Anderson, Douglas and Others, pp. 113, 114. Charles-Town, South Carolina, MDCCXLI.

parted to exchange their goods for the peltry of the natives dwelling far in the interior, and here were deposited both the merchandise intended for barter and the skins obtained in traffic. Boats were constantly ascending and descending the Savannah River. It was a busy scene in the midst of wild woods, this constant arrival and departure of a picturesque trading population, this recurring receipt and shipment of goods, this ceaseless exchange of commodities. So advantageous was its situation that Augusta was, for many years, reckoned the most important mart for Indian traffic within the limits both of Georgia and of South Carolina.

O'Brien began the settlement of the town largely at his individual charge, and by him was the first commodious storehouse there erected. As a reward for his energy and enterprise, General Oglethorpe, on the 8th of March, 1739, recommended the trustees to grant "him and the heirs male of his body" five hundred acres of land. Roger de Lacey, a noted Indian trader, was another prominent pioneer who materially assisted in the development of the little town. At an early period of its existence, a detachment of ten men, under the command of Captain Kent, was sent up and supported by the trust for the protection of the inhabitants of Augusta. A small fort, with wooden walls, musket proof, and armed with a few small iron field pieces, was erected upon the river bank where St. Paul's Church now stands. Within were quarters for the garrison, and the structure was mainly intended as a place of retreat in seasons of danger. The dwellings of the early inhabitants were limited in their capacity, and builded of wood. They were distributed along the river front. The land stretching away to the south was marish, covered by a dense growth of forest trees, and permeated here and there by sluggish lagoons. The Savannah River was then limpid, and abounded in animal life. The woods were filled with deer, wild turkeys, squirrels, raccoons, opossums, ducks, woodcock and rabbits; while, at certain seasons and at no great remove, herds of buffalo roamed through the interior. The soil was fertile to the last degree, and agriculture was not long neglected. Contrary to the wish and the injunction of the trustees, negro slaves were hired from their Carolina owners and employed in clearing lands and in cultivating the cereals, among which Indian corn predominated. Trade, however, engrossed the general attention, and complaint was made of the sharp practice of some of the settlers who, in their anxiety to drive the earliest bargains with both incoming natives and returning packhorsemen, removed from the village, and, recking neither the isolation nor the dangers of their exposed situations, located their dwellings and little storehouses along the paths leading into the Indian country. Of schools and schoolmasters, of churches and parsons, of doctors and lawyers, there were none. The wants of these early inhabitants were few, and of intellectual life, for more than a decade, there seems to have been little. The business of the inhabitants was the procurement and exchange of duffel, salt, gunpowder, lead, ket-

tles, beads, rum, looking-glasses, trinkets, and other articles of European manufacture, for peltry, venison, and ponies, offered by the Indians. As Savannah long continued to be the capital and commercial metropolis of the colony, and as Frederica, before the middle of the century, became the Thermopylæ of the Southern Anglo-American provinces, so did Augusta, for many years, maintain her supremacy as the chief trading post within the confines of Georgia—the point through which flowed the main current of commerce between the English and the native population.

CHAPTER III.

General Oglethorpe's Visit to Augusta — His Conference with the Creeks at Coweta Town — Colonel Stephens's Account of the Progress of the Plantation — Oglethorpe's Fairness in Dealing with the Indians — Introduction of Slave Labor — Rev. Jonathan Copp — Distribution of Presents for the Indians — Fort at Augusta — Early Legislation — Governor Reynolds's "Representation" — Parishes Established — Representation and Petition from Augusta.

ONLY once did General Oglethorpe visit Augusta. This was in September, 1739. He was then returning to Savannah from his perilous and important journey to Coweta Town, where he had met in convention seven thousand red warriors and brought about a pacification of the Indian nations. The exposure and anxieties encountered on the expedition and while in attendance upon that conference, so wrought upon his iron constitution that he was prostrated by a slow fever. In this enfeebled condition he sought repose for a few days at Augusta. From this place he wrote the following letter:

"FORT AUGUSTA IN GEORGIA.
"5th September, 1739

"SR: I am just arrived at this Place from the Assembled Estates of the Creek Nation. They have very fully declared their rights to and possession of all the Land as far as the River Saint Johns, and their Concession of the Sea Coast, Islands, and other Lands to the Trustees, of which they have made a regular Act. If I had not gone up, the misunderstandings between them and the Carolina Traders, fomented by our two neighboring Nations, would probably have occasioned their beginning a war which I believe might have been the result of this general meeting; but as their complaints were reasonable, I gave them satisfaction in all of them, and everything is entirely settled in peace. It is impossible to describe the joy they expressed at my arrival; they met me forty miles in the woods, and layd Provisions on the roads in the woods. The Express being just going to Charles-Town, I can say no more, but I have

had a burning fever of which I am perfectly well recovered. I hope the Trustees will accept of this as a letter to them.

"I am, S^r^, your very humble Serv^t^

"JAMES OGLETHORPE.

"To MR. HARMAN VERELST."[1]

Commenting upon this remarkable mission of General Oglethorpe, Mr. Spalding, with equal truth and fervor, remarks: "When we call into remembrance the then force of these tribes—for they could have brought into the field twenty thousand fighting men—when we call to remembrance the influence the French had everywhere else obtained over the Indians—when we call to remembrance the distance he had to travel through solitary pathways, . . . exposed to summer suns, night dews, and to the treachery of any single Indian who knew—and every Indian knew—the rich reward that would have awaited him for the act from the Spaniards in St. Augustine, or the French in Mobile, surely we may proudly ask what soldier ever gave higher proof of courage? What gentleman ever gave greater evidence of magnanimity? What English governor of an American province ever gave such assurance of deep devotion to public duty?"[2]

But for this manly conference with the red men in the heart of their own country, and the admiration with which his presence, courage and bearing inspired the assembled chiefs, Oglethorpe could not have compassed this pacification and secured this treaty of amity so essential to the welfare of the colony now on the eve of most serious complications with the Spaniards in Florida.

The garrison detailed and supported by the Trust for the protection of the inhabitants of Augusta, and consisting of a commissioned officer and from ten to twenty men, was regularly maintained until 1767, when, in the language of Sir James Wright, Georgia's third and last royal govornor, "the Rangers in this province were broke."

Under date of Tuesday, September 19, 1738, Colonel William Stephens, writing at Savanah, enters this memorandum in his journal, kept for the information of the trustees:[3] "Mr. *Samuel Brown*, one of our principal Traders in the *Indian* Nations, came to Town by way of *Augusta*, in a weak state of health; and as he was a Settler also at that Place, where he had built a House upon a Lot granted him, he had some Stay in his Way. I was sorry to hear by him that they were grown extream sickly thereabouts; that it came through *Carolina* by Degrees to their Settlement at *New Windsor*, and thence soon crossed to *Augusta;* that a great many were down in Fevers at his coming

[1] *P. R. O., Georgia, B. T.*, vol. 21, p. 162.

[2] *Collections of the Georgia Historical Society*, vol. 1, p. 263. Savannah, MDCCCXL.

[3] *A Journal of the proceedings in Georgia October* 20, 1737, etc., vol. 1, p. 290. London. MDCCXLII.

away; and that Lieutenant *Kent* was so ill that it was feared he could not live. At the same Time I received a Letter from one *John Miller*, who keeps Stores at Augusta to serve the *Indian* Traders, acquainting me that the Inhabitants were settling in a very irregular Manner by building Stores on five hundred Acre Lots some Miles distant from each other up the Path towards the Creeks: The Reason for which is that the Out-Parts have the Advantage and chance of intercepting the Customers of those who live in or near the Town of *Augusta;* but consequently lie under greater Danger of being cut off by Enemies of any Sort: Whereas a collected Body of People would be better able to defend themselves, or retire and take the Benefit of the Fort: Moreover it will be in the Power of such *Indian* Traders as run in Debt with the settled Storekeepers to go to one of those out-lying Stores and be supplied, and then return to the *Indian* Nation, thereby defrauding their former Creditors who cannot bring them to regular Justice. Mr. *Brown* confirming this, I thought it worth Notice, and conceive it may be worth the Consideration of such as have Power to regulate it better."

That in the autumn this malarial region, badly drained, the atmosphere impregnated with noxious exhalations from a soil recently denuded of forest trees and subjected by the plow to the direct rays of a semi-tropical sun, should have been visited by fevers of a severe type excites no wonder. Exposure, indifference to hygenic precautions, and sometimes insufficient food, tended still further to render constitutions, not yet fairly acclimated, liable to their pernicious influences.

At a remove from the courts established in Savanah, and with no one save a magistrate, holding a verbal commission, to decide in claim cases or to punish where breaches of the peace occurred, the citizens of Augusta were, for a number of years, largely a law unto themselves, managing their affairs and settling their disputes in their own way.

We marvel too that this feeble plantation did not, at the outset, encounter violent shocks at the hands of the natives, who, in the neighborhood, far outnumbered the Europeans. The truth is the Uchees, the Kiokees, the Savannahs and the Creeks and Cherokees generally, were kind and forbearing in their intercourse with the English. Whenever difficulties occurred between the races, the provocation, in most instances, could be fairly laid at the door of the white man. With the natives Oglethorpe's influence was overshadowing, and his reputation for fair dealing and generosity unquestioned.

In nothing were the prudence, wisdom, skill and ability of the founder of the colony of Georgia more conspicuous than in his conduct toward and treatment of the Indians. The ascendency he acquired over them, the respect they entertained for him, and the manly, generous and just policy he ever maintained in his intercourse with the native tribes of the region are remarkable. Their favor, at the outset, was essential to the repose of the settlement; their

friendship necessary to its existence. In the beginning, few in numbers and isolated in position, a hostile breath would have blown it into nothingness. As claimants of the soil by virtue of prior occupancy, it was important that the title they asserted to these their hunting-grounds should, at an early moment, be peaceably and formally extinguished. A resort to the sword in assertion of England's dominion over this territory would have led at once to ambush, alarm, and bloodshed. The adoption of a violent and coercive course toward the aborigines would have aroused their hostility and imperiled the success of the plantation. Far better the plan of conciliation. This Oglethorpe fully recognized, and shaped his policy accordingly.

In the spring of 1739 the German Jesuit, Christian Priber, endeavored, in the interest of the French, to prejudice the minds of the Cherokees against the English. A conference, however, held at Augusta in April of that year, resulted in an interchange of good will and a confirmation of the amicable relations subsisting between the colonists and the dwellers among the mountains of Appalatcy.[1]

While General Oglethorpe was in Augusta, in September of this year, he was visited by chiefs from the Chickesas and Cherokees. Those from the latter nation complained that some of their people had been poisoned by rum sold to them by the traders. They were much incensed and threatened revenge. Upon inquiring into the matter the general ascertained that some unlicensed traders from Carolina had communicated the smallpox to the Indians, who, ignorant of the method of treating the disease, had fallen victims to that loathsome distemper. He found it difficult to convince the chiefs of the true cause of the calamity. They were at length appeased, and departed with the assurance that they might apprehend no trouble in dealing with the licensed traders from Georgia, as permits were never granted to those unworthy of confidence.[2]

In March, 1740, a complaint was lodged with the authorities in Savannah that in consequence of the introduction of negro slaves from Carolina, who performed all the manual labor, an ordinary workman could find but little employment at Augusta. In exercising the garrison of Fort Augusta, one of the iron guns burst and blew off the head of a soldier. On the 30th of the following June, Lieutenant Kent, newly arrived from Augusta, informed Colonel Stephens that he experienced considerable difficulty in conducting the civil affairs of the settlement. There was so much "jangling among the traders," and so prone were they "to decide their controversies by force," that the local magistrate was greatly embarrassed in the administration of justice.

In April, 1741, the garrison of Fort Augusta was "augmented from twelve to twenty men."

Until the removal of the prohibition respecting the introduction, employ-

[1] See *Stephens' Journal of Proceedings*, vol. 1, pp. 455,456. London, MDCCXLII.

[2] See Wright's Memoir of Oglethorpe, p. 219. London. 1867.

ment, and ownership of slaves in Georgia, and until the enlargement of the tenure by which lands were holden of the crown, but slow progress was made in developing the agricultural interests of the district of St. Paul. So soon however, as the trustees saw fit to modify their restrictions in these respects, the colony "had a better appearance of thriving" than at any former period of its existence. No two individuals were so instrumental in prevailing upon the Trustees to permit Georgia the right, long enjoyed by her sister English colonies in America, of owning and using negro slaves, as the Rev. George Whitefield and the Hon. James Habersham. The former boldly asserted that the transportation of the African from his home of barbarism to a Christian land, where he would be humanly treated and required to perform his share of toil common to the lot of humanity, was advantageous; while the latter affirmed that the colony could not prosper without the intervention of slave labor.

In the Provincial Assembly which convened in Savannah on the 15th of January, 1751, to concert measures and submit recommendations for the general welfare of the province, Augusta was represented by George Cadogan and David Douglass.

As early as 1750 the gentlemen of Augusta built "a handsome and convenient church," opposite one of the curtains of the fort, and so near that its guns afforded ample protection. This little wooden temple indicated the furthest advance the Church of England had thus far made into the Indian territory.

In order to attract a minister the inhabitants of this town promised to erect a parsonage, cultivate the glebe lands, and contribute £20 a year toward his maintenance. The Rev. Jonathan Copp, a native of Connecticut and a graduate of Yale College, having in December, 1750, been ordained in England as a deacon and priest by Dr. Sherlock, bishop of London, came to Augusta the following year and there entered upon his ministry. His congregation numbered nearly one hundred. Among them were eight communicants. The parsonage, however, had not been erected, the glebe lands were uncultivated, and the hope of receiving prompt payment of the stipend of £20 appeared uncertain. "Separated from any brother clergyman by one hundred and thirty miles of wilderness," on the frontier of civilization, in proximity to the Indian territory, and daily liable to the merciless attacks of savages, "with but little to cheer and much to discourage, with small emolument and arduous labor," he here continued as a missionary until 1756, when he accepted a call to the rectorship of St. John's parish in South Carolina.[1]

[1] He was succeeded in 1764 by the Rev. Samuel Trink, who, for three years, discharged the duties of rector of the parish. Removing in 1767 to Savannah, his station for the ensuing three years was filled by the Rev. Edward Ellington. When he resigned the pastorate there were forty communicants in St. Paul's Church, and during his ministry he baptized four hun-

The Trustees for establishing the colony of Georgia in America having surrendered their charter and relieved themselves from the further execution of a trust which had grown quite beyond their management, his Majesty, King George, II, was pleased, on the 6th of August, 1754, to appoint Captain John Reynolds governor of the Province of Georgia. One of his earliest official acts, after his arrival in Savannah on the 29th of October, was to cause a liberal supply of presents to be distributed at Augusta to the Chickasaws, Creeks, Uchees and Cherokees whom, as he was advised by Indian traders of repute, the French were endeavoring to excite to hostilities against the upper settlements of Georgia and Carolina. A justice was commissioned for the district of Saint Paul. He was authorized to hear and determine causes where the amount involved did not exceed forty shillings. For punishing slaves committing capital crimes, a commission of oyer and terminer might, upon an emergency, be issued to the justice of the district in which the offence was committed to try the accused without a jury. If found guilty and sentenced to death, the justice might award execution, and set upon the slave a value which was afterwards to be paid to the owner by the general assembly "as an encouragement to the people to discover the villainies of their slaves." Causes of special moment in law and equity, in admiralty, and of a criminal nature, were to be tried by the courts which were established in Savannah.

Upon the arrival of the Indian presents in December, 1755, Governor Reynolds proceeded to Augusta that he might superintend their distribution and utilize the occasion in confirming the amicable relations existing between the colonists and their red neighbors. While there awaiting the assembling of the chiefs, he was summoned to Savannah by a matter claiming his immediate and personal attention. He was therefore constrained to leave the presents, and the addresses he had prepared, with Mr. William Little, commissioner and agent for Indian affairs, who, a week after the departure of the governor, read those speeches and distributed the presents to some three hundred chiefs and head warriors. The convocation was peaceful and amicable. Well pleased with the royal gifts, the aborigines renewed their pledges of friendship.

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dred and twenty-eight persons, and married sixty-two couples. During the war St. Paul's Church, which was a small wooden structure, perished, there being no clergymen in charge, and no worshippers within its frail walls. In 1786 a second sacred edifice was erected on the site of the first, and it, in turn, gave away to the present structure, the foundations of which were laid in 1818. In 1789 the Rev. Mr. Palmer was in charge of the church, and he was followed by the Rev. Adam Boyd, whose pastorate endured until 1798. Between this date and the year 1818, there appear to have been no divine ministrations under the exclusive auspices of the Protestant Episcopal denomination within the porches of St. Paul's Church. The glebe lands, consisting of fifteen acres, to which the parish church was originally entitled, have been lost, or absorbed within the control and possession of the trustees of the Richmond county Academy. During the last two years of the past century, and the first eighteen years of the present, St. Paul's Church, under the supervision of the trustees of the Richmond Academy, appears to have been used as a place of worship by all denominations of Christians.

While in Augusta, Governor Reynolds, who, true to his military profession and instincts, was devoting, perhaps, more attention to the defenses of the province than to any other matter connected with its administration and development, made a personal inspection of the fort located at that place. Built of wood, and one hundred and twenty feet square, he found it so rotten that a large portion of it was propped up to prevent its walls from falling. Its eight small iron guns were honeycombed, and their carriages in an unserviceable condition. Of ordnance stores there was but a very scant supply.

The population of Georgia, sadly dispersed, did not then aggregate more than sixty-four hundred souls. Of these, seven hundred and fifty-six, capable of bearing arms, were enrolled in the militia and officered. Poorly equipped, and organized into eight companies, they were drilled six times each year. Widely separated, their concentration on an emergency was very difficult. There was, in truth, not a fortification within the limits of the province in even tolerable condition.

In the elaborate "representation of the forts and garrisons necessary for the defense of Georgia," which, with the assistance of John Gerar, William, DeBrahm, one of the royal surveyors and a captain of engineers of high repute, the governor matured, and, on the 5th of January, 1756, submitted for the approval of the home government, he urged that a fort should be constructed for the protection of Augusta, square in outline, "*i. e.* four Poligons each 448 feet, with four Bastions altogether on one Horizon." For its armament he suggested:

"12, 12.....	Pounders	Cannon.
10, 1, 2, 3, 8, 9,...	Pounders	
2, 10.....	Pounders	Haubices.
24"		

The garrison was to consist of one hundred and fifty regulars, with a reinforcement of three hundred men, viz., one hundred and fifty militia, and one hundred and fifty Indians. In addition, a captain, a sergeant, and twenty-nine men were to be kept on duty at this point to serve in the capacity of "Rangers." It is scarcely necessary to add that this extravagant scheme did not commend itself to the approval of the board of trade; and, peace then reigning within the borders of the province, but little expenditure was made in behalf of its fortifications.

It was during Governor Ellis's administration that the act was passed by the Colonial Legislature dividing the several districts of the province into parishes, providing for the establishment of religious worship according to the rites and ceremonies of the Church of England, and empowering the churchwardens and vestrymen of the respective parishes to assess rates for the repair of churches, the relief of the poor, and for other parochial services. This act was approved on the 17th of March, 1758.

For the purpose of keeping church edifices in repair, for the care of the respective cemeteries, sacred utensils, and ornaments, to provide bread and wine for the Holy Eucharist, to pay the salaries of clerk and sexton, and to make provision for the poor and impotent of the several parishes, the rector, churchwardens, and vestrymen were authorized to levy a tax on the estate, real and personal, of all the inhabitants within the respective parishes, sufficient to yield in the parishes of Christ Church and of St. Paul £30 each, and in the parishes where no churches had as yet been erected £10 each. The method of assessing and collecting this tax was pointed out.

With the rector, churchwardens, and vestrymen rested the power of appointing sextons, and of fixing their salaries and fees. The rector was to be one of the vestry, and the churchwardens in each parish were directed to procure, at the charge of the parish, a well bound paper or parchment book wherein the vestry-clerk of the parish was to register the "births, christenings, marriages, and burials of all and every person and persons that shall from time to time be born, christened, married, or buried within the said parish, under the penalty of five pounds sterling on failure thereof." For each entry the vestry clerk was entitled to receive, as a fee, one shilling sterling. These registers were to be adjudged and accepted in all courts of record in the province as furnishing sufficient proof of the births, marriages, christenings, and burials therein mentioned; and if any party was convicted of willfully making or causing to be made any false entry therein, or of maliciously erasing, altering, or defacing an entry, or of embezzling any entry or book of record, he was to be adjudged guilty of a felony, and to be punished with death without benefit of clergy. Each vestry was instructed to nominate a proper person to keep a record of its proceedings, and to act as the custodian of its books and papers. No authority was conferred upon rectors to exercise any ecclesiastical jurisdiction, or to administer ecclesiastical law.

Such are the leading provisions of the act dividing Georgia into parishes, and erecting churches in sympathy with the tenets of the Established Church of England. While the patronage of the Crown and of the Colonial Assembly was extended in this special manner in aid of churches professing the Episcopal faith, it was not designed to favor them by an exclusive recognition. The idea appeared to be to accord to that denomination within the limits of Georgia a prestige akin to that which the Church of England enjoyed within the realm, to create certain offices for the encouragment of that religious persuasion and the extension of the gospel in accordance with its forms of worship and mode of government, and to provide a method by which faithful registers of births, marriages, christenings, and deaths might be kept and perpetuated. Numerous were the Dissenters then in the province. They were represented by Presbyterians, Lutherans, Congregationalists, Methodists, a few Baptists, and some Hebrews. To all sects, save Papists, was free toleration

accorded, and whenever a Dissenting congregation organized and applied for a grant of land whereon to build a church the petition did not pass unheeded. There can be no doubt, however, but that it was the intention of the government, both royal and colonial, to engraft the Church of England upon the province, and, within certain limits, to advance its prosperity and insure its permanency. At the same time an adherence to its rubrics was in no wise made a condition precedent to political preferment.

As a salutary precaution against domestic insurrections and other sudden dangers, each white male inhabitant of the province "from the ages of sixteen years aud upwards" was, by an act assented to on the 28th of July, 1757, required to carry with him "on Sabbath days, fasts and festivals," to the place of public worship within the town or district where he resided, "one good gun, or pair of pistols, with at least six charges of gunpowder and ball."

The French observed, with jealous eye, the expansion of the English settlements along the line of the Savannah River, and the increasing influence which the colonists were gaining over the affections and the trade of the Indian nations. They hesitated at nothing which might tend to interrupt this advancing prosperity and alienate the good will of the natives. Emissaries, equipped with presents and malignant tongues, were sent among them to poison their minds against the English, to disturb existing friendly relations, and, if possible, to incite the savages to acts of open hostility. The effect of these efforts became perceptible in the changed temper and morose conduct of the Indians. At no point was this modification of amicable word and act so apparent as at Augusta. Sharing in the apprehension of impending danger, and alarmed at the defenseless state of the town, the inhabitants of Augusta addressed the following communication to Governor Reynolds:

"Augusta, 30th of August, 1756. To his excellency, John Reynolds, esq., captain-general and commander-in-chief in and over his majesty's Province of Georgia, and vice-admiral of the same.

"The humble representation and petition of the inhabitants of Augusta and the places adjacent, showeth:

"That your petitioners by their vicinity to, and connection with Indians and Indian affairs, have had the opportunity to behold with concern the great progress the French have made for some time past in seducing the Creek Indians and drawing them over to their interest. These people are indefatigable in persuading and spurring on the Indians to a rupture with us, and had, within these few months, according to the best intelligence we could get, and from the behavior of the Indians in general, very nearly succeeded, and even with the concurrence of a part of the Cherokees.

"That although we believe they have miscarried just at this present juncture, yet we have good reason to think, if some effectual methods are not taken to prevent it, they will very soon bring their designs to bear. That Augusta

and the places adjacent being not only frontiers, but places where the stores and trading goods for all the Chickasaws, Creeks, and a part of the Cherokees are kept, are of the greatest consequence, for in all probability they would, for the sake of the stores, be the first that would be attacked, as they, the Indians, would thereby be enabled, with a little assistance from the French, to carry on a war with the English for a considerable time.

"That in our present helpless, defenseless condition, these places and stores, we are morally certain, would fall too easy a prey to them. That it is well known that Fort Augusta was erected here for the sake of the Indian trade, and the protection of those who should carry it on, and might also be a protection to the inhabitants that might afterwards come and settle in the northwest division of the province, by being an asylum for the women and children, and a place of security for their effects in case of danger. That that fort, at present, cannot answer any of those wise and salutary ends, being in every part of it in a ruinous condition, for the truth of which we can appeal to your excellency, who had occular demonstration thereof when your excellency was up here; but ever since that time it is much decayed, and would have fallen to the ground had it not been supported by the care of the commanding officer. That was the fort in proper repair, it would not answer the ends proposed; the few soldiers that had been for a long time at that station, which, by repeated detachments to South Carolina and elsewhere are now rendered fewer, being insufficient for its defense in case of an attack.

"That if this place was destroyed, the destruction of the whole province would, in all probability, soon follow; for, as we hinted before, the Indians would get arms and ammunition and other necessaries here, enough to enable them to carry on the war when and how long they pleased.

"That although we have been informed that your excellency hath before now laid before his majesty the defenceless state of this province, and the ruinous condition of the fortifications in it, and we are sensible no person could take more pains to know it than your excellency, yet we hope this representation of our particular situation, especially in time of war with France, and, as we have good reason to think, of immediate danger, will not be taken amiss.

"That we also, with submission, beg leave to observe to your excellency that we sincerely wish there had been no settlement made on Ogeechee as yet, for if ever the Creeks should break out in war with us, whatever reasons they in their own minds might have for it, we are assured they will make that settlement one pretense, for they are continually exclaiming against it, and more so this summer than ever. We wish there could be a method taken of withdrawing the settlement by degrees, so it might not look like a public concession of these lands. The Indians would then, at least, want that pretense of quarrelling.

"We therefore hope your excellency will take this our representation and

petition into your serious consideration, and we cannot doubt your excellency will do everything in your power to remedy these evils, and to render our safety and protection more effectual; but if nothing can be done here for the public security of these parts, we humbly beseech your excellency to represent our situation to his majesty, from whose fatherly care we may yet, before it is too late, receive the assistance necessarily required.

"And your excellency's petitioners, as in duty bound, will ever pray, etc."

This petition was signed by Patrick Clarke, John Rae, Isaac Barksdale, William Bonar, Daniel Clark, Edward Barnard, William Clement, Richard Johnson, Da Douglass, Martin Campbell, Lachlan McGillivray, John Williams, John Spencer, William Little, James McHenry, George Galphin, Robert Dixon, and Moses Nunes.

David Douglass, who was charged with the transmission of the foregoing representation and petition, in forwarding the document deemed it proper to supplement its statements and requests with this communication:

"We have sent you the inclosed representation that your excellency may see the sentiments of the people of this place before this unlucky affair happened.

"I have, as in duty bound, sent you the enclosed information, by which, in all appearances, an Indian war is inevitable. There is nothing, in all human probability, can prevent it but having those people who did the injury to make a retaliation for the murdered Indians, and we have accordingly issued *hue and cry*, and sent out parties to apprehend them, and we have alarmed all the country, both on the Carolina and Georgia side. The head men of the Chickasaws are now with me. They declare they will live and die with the white people, provided we will give them a place for their wives and children. The fort is too small, neither is it in a condition to hold the people of this place, so I think it will be better to have one or two fortifications or intrenchments as near the fort as possible, where the women and children may be secured, while we scout out and fight the enemy.

"I am afraid we cannot keep this place without assistance, and the loss of this will be an immense destruction to both provinces, as there is no people in this province to spare to send to our assistance. I hope your excellency will immediately apply to the government of South Carolina, who are equally concerned, to send an immediate supply of men, or otherwise as you think most proper, as I only hint my hasty thoughts, which, if not right, I beg your excellency would excuse. I hope your excellency will, by this express, give me what power and instructions you think needful. If possible, we will immediately send to the Creek nation to assure the Indians that those people who did the injury will be taken and secured for their satisfaction. We are afraid the blow will be struck in the nation."

Matters still maintaining a threatening attitude, and all efforts to apprehend

tbe fugitive whites who, by their violence, had offended and outraged the Indians, having thus far proved fruitless, Governor Reynolds laid before his council the following communication which had just been received:

"AUGUSTA, Saturday 10 of the Clock in
"the Morning, 12th September 1756.

"*May it please your Excellency:*

"We have, as in duty bound, sent this express on purpose, with the inclosed informations by which you will understand that Indian blood has been spilt, and consequently an Indian War is almost inevitable. The only thing in all probability that can prevent it is the having of the murderers secured for to make him satisfaction: for which reason we issued *hue and crys* everywhere to apprehend them: and in case they come by the way of Savannah, we hope care will be taken to secure them. We are afraid we cannot hold this place long without speedy assistance, which we hope your Excellency will take into serious consideration. All the settlements on the Ogeechee are abandoned. The fort cannot contain all the inhabitants, so that we shall be obliged to fortify some other places. We beg your Excellency would send us instructions how to act as you shall think proper. There are some head-men of the Creeks in Charles Town, or on their way thither—on whom we have had great dependence, as we designed to assure them that we will take and do justice on the murderers, and give them all the satisfaction they required. We wish we could hear from your Excellency before they go from this place, for which reason we hope your Excellency will dispatch the express with all haste possible. There is no match in the fort. Mr. ——— begs, if there is any such thing in Savannah, that you will send him some. And we are, with the greatest respect,

"Your Excellency's most humble, most obedient Servants,
"D. A. DOUGLASS,
"JOHN RAE,
"MARTIN CAMPBELL."

The guilty whites having been finally apprehended and brought to justice, the wrath of the Indians having thus been appeased, and their head men having been placated by a liberal supply of such articles as they coveted, a pacification ensued to the joy and relief of the inhabitants of Augusta who had been sorely exercised by the late hostile temper and the recent threats of their red neighbors. Although anxious to respond to the requisition, Governor Reynolds found himself powerless to supply the needs and enlarge the protective abilities of Fort Augusta.

CHAPTE.R IV.

Condition of the Colony of Georgia in 1760 — Congress at Augusta in November, 1763 — Treaty with the Indians then Solemnized — Instructions to Indian Traders — Strength of Adjacent Indian Nations in 1768 — Augusta's Representation in the Provincial Congress — Congress at Augusta in June, 1773 — The Ceded Lands — Adjustment of the Claims of the Indian Traders — Trouble with the Indians — Silver Bluff.

UPON the inauguration of Governor Wright, in 1760, the population of Georgia amounted to barely six thousand inhabitants. The returns showed that there were then three thousand five hundred and seventy-eight negro slaves owned and employed within the province. The military force of the colony consisted of sixty men belonging to his majesty's independent companies, of two troops of rangers, each numbering five officers and seventy privates, and of the militia, organized as infantry and aggregating one thousand and twenty-five. But thirty-four hundred pounds of rice were exported in that year, and the entire commerce of the colony was conducted by forty-two vessels, most of them of light burthen. Scarcely anything was manufactured at home; all needed supplies coming from abroad, and especially from Great Britain. Some of the poorer and more industrious class wove a coarse, homespun cloth, and knit cotton and yarn stockings for domestic use. Here and there a tanner or a shoemaker plied his trade, and there was no lack of blacksmiths. Occasionally a ship, a snow, a brigantine, or a schooner was built for the coasting trade. The "whole time and strength" of the colonists, as Sir James Wright reports to the Lords Commissioners of Trade and Plantations, are "applied in planting rice, corn, peas, and a small quantity of wheat and rye, and in making pitch, tar and turpentine, and in making shingles and staves, and sawing lumber and scantling and boards of every kind, and in raising stocks of cattle, mules, horses and hogs."

By royal proclamation, dated at St. James, October 7, 1763, his majesty, George III., from the extensive and valuable acquisitions in America secured to his crown by the definitive treaty of peace concluded at Paris on the 10th of February in the same year annexed to the Province of Georgia all lands lying between the rivers Alatamaha and St. Mary. The separate governments of East and West Florida were then organized, and the northern boundary of the two Floridas constituted the southern boundary of Georgia as far as the Mississippi River.

Thus did Georgia cease to be a frontier colony. Relieved from those anxieties so long entertained by reason of her proximity to Spanish rule at St. Augustine and Pensacola, and no more exposed to the annoyances of French intrigue and jealousies emanating from Mobile and the Alabama fort, the province entered upon a career of security and assured prosperity. Her southern

and western boundaries, formerly threatened by enemies, were now but dividing lines separating plantations with kindred interests and acknowledging a common allegiance. The change was pleasing and restful, and the effect upon the colony most salutary.

The native population, however, remained, and it became necessary to acquaint the Indians with the change which had occurred, and to adopt measures for the perpetuation of the amicable relations existing between them and the British crown. To that end the Earl of Egremont, the principal secretary of State for the Southern Department, at the instance of the king, addressed communications to the governors of the Provinces of Virginia, North and South Carolina and Georgia, directing them, in association with Captain Stuart, the superintendent of Indian affairs, to convene a congress of the Creeks, Cherokees, Catawbas, Chickasaws and Choctaws at Augusta, or in such other central point as might be deemed most convenient.

After some discussion, and upon the suggestion of Governor Wright indorsed by Mr. Stuart, Augusta was selected as the locality most suitable for the convocation. The congress was opened with due formality at the King's Fort, in that town, on Saturday, November 5, 1763. There were present on the part of the English, Governor James Wright, of Georgia, Governor Thomas Boone, of South Carolina, Governor Arthur Dobbs, of North Carolina, Lieutenant-Governor Francis Fauquier, of Virginia, and John Stuart, esq., superintendent of Indian affairs in the Southern Department. Seven hundred Indians were in attendance. James Colbert acted as interpreter for the Chickasaws and Choctaws. John Butler, James Beamor and John Watts interpreted for the Cherokees, and Stephen Forest and John Proctor for the Creeks. Colonel Ayers, the Catawba chief, interpreted for his nation.

The Upper and Lower Chickasaws were represented by the following chiefs: Hopayamatahah, Poucherimatahah, Houpastubah, Piamatah, Hopayamingo, Houratimatahah, Hopayamingo (Jockey's son), and twenty warriors. The chiefs, Red-Shoes and Chappahomah, represented the Choctaws.

The Upper and Lower Creeks were present in the persons of their chiefs, Captain Aleck, Sympoyaffee, Bohotcher, Sausechaw, Boysonecka, Hillibeesunaga, Firmicho, Poyhucher, Poyhuchee, and their followers.

Of the Cherokees, fifteen chiefs appeared, representing the Settlements over the Hills, the Middle Settlements, and the Lower Towns. The Over Hill chiefs were Attakullakulla, Ousteneka, Prince of Chotih, Willanawah, Onatoi, Skiagusta of Chotih, and Moitoi. Those from the Lower Towns were Tiftowih of Keehowee, the Wolf, Houkonata, Man Killer of Keehowee, Good Warrior of Estatowih, Young Warrior of the same place, and the Warrior of Tuscoweh. Will, the head man of Whatogah, led the delegation from the Middle Settlement. The Catawbas were represented by their chief, Colonel Ayers, and some followers.

The conference occurring within the limits of Georgia was opened by Governor Wright. Observing that the day was fair, and indulging in the hope that all the talks would not prove otherwise, he invited the Indians to heed the utterances of Mr. Stuart, as he had been selected by the governors present to give expression to their united sentiments.

Thus commended, Mr. Stuart, addressing the assembled Indians as friends and brothers, assured them that he spake by command of the great King George, who, under God, the Master and Giver of breath, was the common father and protector both of the English and of the red men; that no conference was ever intended to be more general or more friendly; that, provoked at the repeated cruelties, insults, and falsehoods of the French and Spaniards, the king of England had put forth his strength and defeated both his perfidious enemies; that in order to prevent a recurrence of former disturbances, his majesty insisted upon the removal of the French and Spaniards beyond the Mississippi; that all cause of trouble being now at an end, he hoped the Indians and English would dwell together in peace and brotherly friendship; "that all past offenses should be buried in oblivion and forgiveness;" that the English were prepared to deal fairly, and to supply the Indian nations with everything they might require; and that the forts recently surrendered by the French would be used for the assistance and protection of the natives, and for the convenience of a trade, which, it was believed, would prove mutually beneficial. "The white people," he said in conclusion, "value themselves on speaking truth; but to give still greater weight to what we say, the great king has thought proper that his four governors and the superintendent from a great distance should utter the same words at the same time; and, to remove every umbrage or jealousy, that you should all hear them in presence of one another, and bear testimony for one another in case we should ever act contrary to our declarations."

The responses of the chiefs and various rejoinders occupied the attention of the congress until the 10th of November, when the following treaty was formally ratified by all parties present:

"Article I. That a perfect and perpetual peace and sincere friendship shall be continued between his majesty, King George the Third, and all his subjects, and the several nations and tribes of Indians herein mentioned, that is to say, the Chicasahs, Upper and Lower Creeks, Chactahs, Cherokees, and Catawbas; and each nation of Indians hereby respectively engages to give the utmost attention to preserve and maintain peace and friendship between their people and the king of Great Britain and his subjects and shall not commit or permit any kind of hostilities, injury, or damage whatever, against them from henceforth, and for any cause, or under any pretense whatever. And for laying the strongest and purest foundation for a perfect and perpetual peace and friendship, his most sacred majesty has been graciously pleased to pardon and forgive all past offenses and injuries, and hereby declares there shall be a general

oblivion of all crimes, offenses and injuries that may have been heretofore committed or done by any of the said Indian parties.

"Article II. The subjects of the great King George and the aforesaid several nations of Indians shall, forever hereafter, be looked upon as one people. And the several governors and superintendent engage that they will encourage persons to furnish and supply the several nations and tribes of Indians aforesaid with all sorts of goods usually carried amongst them, in the manner which they now are, and which will be sufficient to answer all their wants. In consideration whereof, the Indian parties on their part, severally engage in the most solemn manner that the traders and others who may go amongst them shall be perfectly safe and secure in their several persons and effects, and shall not on any account, or pretense whatever, be molested or disturbed whilst in any of the Indian towns or nations, or on their journey to or from the nations.

"Article III. The English governors and superintendent engage for themselves and their successors, as far as they can, that they will always give due attention to the interest of the Indians, and will be ready on all occasions to do them full and ample justice. And the several Indian parties do expressly promise and engage for themselves severally, and for their several nations and tribes, pursuant to the full right and power which they have so to do, that they will in all cases, and upon all occasions, do full and ample justice to the English; and will use their utmost endeavors to prevent any of their people from giving any disturbance, or doing any damage to them in the settlements or elsewhere as aforesaid, either by stealing their horses, killing their cattle, or otherwise, or by doing them any personal hurt or injury; and that if any damage be done, as aforesaid, satisfaction shall be made to the party injured; and that if any Indian, or Indians, whatever, shall hereafter murder or kill a white man, the offender or offenders, shall, without any delay, excuse, or pretense whatever, be immediately put to death in a public manner in the presence of at least two of the English who may be in the neighborhood where the offense is committed.

"And if any white man shall kill or murder an Indian, such white man shall be tried for the offense in the same manner as if he had murdered a white man, and, if found guilty, shall be executed accordingly in the presence of some of the relations of the Indian who may be murdered, if they choose to be present.

"Article IV. Whereas doubts and disputes have frequently happened on account of encroachments, or supposed encroachments committed by the English inhabitants of Georgia on the lands or hunting grounds reserved and claimed by the Creek Indians for their own use: Wherefore, to prevent any mistakes, doubts, or disputes for the future, and in consideration of the great marks of clemency and friendship extended to us the said Creek Indian, we, the kings, Head Men and Warriors of the several nations and towns of both Up-

per and Lower Creeks, by virtue and in pursuance of the full right and power which we now have and are possessed of, have consented and agreed that, for the future, the boundary between the English settlements and our lands and hunting grounds shall be known and settled by a line extending up Savannah River to Little River and back to the fork of Little River, and from the fork of Little River to the ends of the south branch of Briar Creek, and down that branch to the Lower Creek path, and along the Lower Creek path to the main stream of Ogeechie River, and down the main stream of that river just below the path leading from Mount Pleasant, and from thence in a straight line cross to Sancta Sevilla on the Alatamaha River, and from thence to the southward as far as Georgia extends, or may be extended, to remain to be regulated agreeable to former treaties and his majesty's royal instruction, a copy of which was lately sent to you.

"And we, the Catawba Head Men and Warriors, in confirmation of an agreement heretofore entered into with the white people, declare that we will remain satisfied with the tract of land of fifteen miles square, a survey of which, by our consent, and at our request, has been already begun; and the respective Governors and Superintendent, on their parts, promise and engage that the aforesaid survey shall be completed, and that the Catawbas shall not, in any respect, be molested by any of the King's subjects, within the said lines, but shall be indulged in the usual manner of hunting elsewhere.

"And we do by these presents give, grant, and confirm unto his most sacred majesty, King George the Third, all such lands whatsoever as we, the said Creek Indians, have at any time heretofore been possessed of, or claimed as our hunting grounds, which lye between the sea, the River Savannah, and the lines hereinbefore mentioned and described, to hold the same unto the great King George and his successors forever. And we do fully and absolutely agree that from henceforth the above lines and boundary shall be the mark of division of lands between the English and the Creek Indians, notwithstanding any former agreement or boundary to the contrary; and that we will not disturb the English in their settlements or otherwise within the lines aforesaid.

"In consideration whereof it is agreed on the part of his majesty, King George, that none of his subjects shall settle upon or disturb the Indians in the grounds or lands to the westward of the lines hereinbefore described: and that if any shall presume to do so, then, on complaint made by the Indians, the party shall be proceeded against for the same, and punished according to the laws of the English."[1]

The following day liberal presents were distributed by Mr. Stuart to all the assembled Indians. The four governors united in an explanatory letter to the

[1] See *Journal of the Congress of the four Southern Governors and the Superintendent of that District with the five Nations of Indians at Augusta*, 1763, pp. 1–45. South Carolina. Charles-Town: Printed by Peter Timothy. MDCCLXIV.

Earl of Egremont, advising him of the satisfactory manner in which the king's commands, as signified in his lordship's communication of the 16th of March, had been obeyed, and suggesting the establishment of commercial relations with the Indians upon a general, safe, and equitable footing.

In transmitting a copy of this treaty to the board of trade, Governor Wright, on the 23d of December, assures the Lords Commissioners that this accession of territory from the Indians will encourage the incoming of many settlers and promote the prosperity of Georgia. In this expectation he was not disappointed.

In order that the promises contained in this treaty respecting fair dealing with the Indian nations might be duly observed by the licensed traders, Governor Wright deemed it proper to promulgate and enforce certain stringent regulations. As they specially affected the population of Augusta, which was still largely engaged in traffic with the natives, a synopsis of them will be regarded as pertinent.

Every trader was so to conduct himself that "no offense be given to the Christian religion." All horses, hogs, and cattle, accompanying the trader were to be carefully guarded, in order that no damage should be done by them to the growing crops of the natives. It was expressly forbidden to compel an Indian, either by threats or force, to perform any labor, to carry any pack or burthen, or to buy or sell contrary to his will or inclination.

The trader was not allowed to receive any present, gift, fee or reward from an Indian, or to credit any member of the community to a greater extent than one pound of powder and four pounds of bullets. The savages were to be informed that they were relieved from all obligation to pay debts previously contracted. No arms, ammunition, or goods were to be sold to Indians acknowledging allegiance to the crowns of France and Spain. Traffic in swan-shot was prohibited. Any information acquired touching the movements or designs of the French and Spaniards was to be promptly and faithfully communicated. It was not permitted to a trader, without special permission from the governor, to bring an Indian within the limits of the white settlements. Persons found trading with the natives without license were to be immediately reported. Matters relating to the affairs and government of the province could not form subjects of conversation with the natives, and the servants of traders were forbidden to traffic with the Indians. No servant could remain in the Indian Territory; and if any person in the employment of the trader committed a capital offense, it was made the duty of the trader to take him before a magistrate for trial and punishment. Upon the renewal of his license each trader was required to submit a statement of all skins and effects purchased from the Indians, and of all goods sold or left at his trading-post. It was also incumbent upon him to hand in a journal of all proceedings during his sojourn in the Indian country. No free Indian, negro, or slave could, without special

leave, be employed to assist the trader in the prosecution of his calling, or in rowing his boats from any garrison into the red man's territory. Rawhides could not be accepted in exchange for goods. The sale of rum, spirituous liquors, and "rifled barrelled guns," was absolutely prohibited.

With the exception of an occasional murder, resulting from some personal quarrel, or committed under the influence of strong drink, the intercourse between the colonists and the Indians was for many years amicable and satisfactory. This happy state of affairs was largely due to the watchfulness, wisdom, and liberality of Governor Wright, who held the traders to strict accountability and, by apt interviews with the influential chiefs of the Creeks and the Cherokees, and by generous presents, inculcated and maintained friendly relations.

In pursuance of writs of election, issued by Governor Wright in 1761, the town of Augusta and parish of St. Paul sent up the following representatives: Edward Barnard, John Graham, ——— Williams, and L. McGillivray. No longer subjected to menaces at the hands of Spaniards and French, at peace with the Indian nations, permitted to purchase and employ slaves in the cultivation of the soil, enjoying a fee simple title to lands, encouraged by the example and experience of a wise and energetic governor, the inhabitants of Georgia took fresh courage in the development of the plantation; and, from this time forward, the progress of the colonization was satisfactory and uninterrupted.

In the excitement which violently agitated Savannah when the authorities attempted, within her limits, to enforce the provisions of the stamp act of 1765, the citizens of Augusta did not share except to a limited extent. They were too far removed from the scene of operations, and had but small practical interest in the question and the rights involved.

In 1767 depredations were committed by a party of Creek Indians, who had lately formed a settlement on the Oconee River, upon the plantations on Little River. Some horses were captured. Pursued by five of the inhabitants, the Indians fled until they regained their homes where, reinforced by their companions, they turned upon their assailants and compelled them to beat a hasty retreat. This was not the first time the Creeks had invaded this region and plundered its plantations. Responding to the emergency, Governor Wright, on the 24th of August, prepared a talk to the Creek nation in which he demanded the return of the stolen animals, insisted upon a recall of the marauding bands, and cautioned an observance of the boundary-line stipulations as agreed upon by the Augusta Congress. The town of Augusta now contained some eighty houses, a church, and two wooden forts.[1] Plantations were multiplying to the north as far as Little River.

Of the warlike strength of the Indian nations lying adjacent to, and hold-

[1] See *Gentleman's Magazine* for 1767, p. 167.

ing commerce with Georgia, the following estimate was submitted by Governor Wright to the Earl of Hillsborough, on the 5th of October, 1768:

	Gun Men.
Upper and Lower Creeks	3,400
Chactaws	2,200
Chickesas	400
Cherokees	2,000
Catawbas	40
Total	8,040

In this number are not included those whose trade relations were carried on with South Carolina and with East and West Florida. When we remember the defenseless condition of the province, and its unguarded frontier, and when we recall the fact that the Indian Territory was frequented by traders—some of whom were supercilious, dishonest and tyrannical—we are astonished that these primitive peoples exhibited such tolerance towards a race which was surely supplanting them in the occupancy of their native wilds.

In the recalcitrant Assembly which was finally dissolved by Governor Habersham in 1772, Augusta was represented by Edward Barnard, Alexander Inglis, and Thomas Shruder. While the governor was loyally seeking to carry out the instructions of the king and to enforce the acts of Parliament, the Provincial Assembly, under the leadership of Dr. Noble Wymberley Jones, who has been appropriately styled the "morning star" of the revolution in Georgia, was in active sympathy with all who esteemed taxation without representation as unauthorized, and jealously maintained what they regarded as the reserved rights of the colonists and the privileges of provincial legislatures.

For some time the Cherokees had been increasing their indebtedness to the traders. Each year they became less able to discharge their accumulating obligations. The Creeks were in a similar situation. The traders clamored for payment, and the Indians offered to make a cession of lands in settlement of their debts. Various negotiations and talks ensued in regard to the matter, which was finally adjusted at a congress held in Augusta on the 1st of June, 1773. Georgia was represented by her governor, Sir James Wright, and the Cherokees and Creeks appeared in the persons of several chiefs who were empowered to bind their respective nations. The Hon. John Stuart, his majesty's sole agent and superintendent of Indian affairs in the southern district of North America, was also present.

By the cession then made Georgia acquired additional territory embracing over two millions of acres of land, most of it well watered, and adapted to the cultivation of indigo, cotton, tobacco, corn, wheat, etc. Wilkes, Lincoln, Taliaferro, Greene, Oglethorpe, Elbert, and other counties were subsequently carved out of it. Goodly was the region and offering many attractions to immigrants. The aggregate indebtedness existing on the part of the Indians

to the traders was estimated at from £40,000 to £50,000. Simultaneously with the formal execution of this cession and treaty, the Indian traders holding claims against the Indians submitted releases by which, in consideration of the surrender of this territory to his majesty, and in anticipation of receiving partial or entire payment of the debts due to them by the Creeks and Cherokees from the moneys to be realized upon the sale of these lands, they absolutely acquitted and discharged the Indians from all demands. Prominent among those signing these releases were George Galpin, James Jackson & Co., Martin Campbell & Son, Woodgion, Rae, Whitefield & Co., Edward Barnard, Waters, James Grierson, James Spalding & Co., and Edward Keating.

In order to engage the attention of the public and to attract settlers for this newly acquired and fertile domain, his excellency, on the 11th of June, 1773, issued a proclamation in which, after describing the cession and making known the fact that surveyors were actually engaged in running out and marking the boundaries, he states that the territory would "be parceled out in tracts varying from 100 to 1,000 acres the better to accommodate the buyers"; that in conformity to his majesty's instructions "one hundred acres would be sold to the master or head of a family, fifty acres additional for the wife and each child, and the same number of acres for each slave owned and brought in by the purchaser"; that in "further encouragement of the settling of the said lands the masters or heads of families will be allowed to purchase 50 acres for each able bodied white servant man they shall bring in to settle thereon," and also "25 acres for every woman servant from the age of 15 years to 40 years"; that all persons were at liberty to come into the province and view these lands, and, as soon as they were surveyed, to make choice of such of them as they desired to purchase and settle upon; that grants would be executed on the most moderate terms, and that for a period of ten years the parcels purchased would be exempt from the payment of quit rents; that the lands offered were "in general of the most fertile quality and fit for the production of wheat, indico, Indian corn, tobacco, hemp, flax, etc., etc., etc.;" that they comprised "a pleasant and very healthy part of the province"; that they were "extremely well watered by Savannah River, Ogechee River, Little River, and Broad River, and by a great number of creeks and branches which ran throughout the whole country and emptied themselves into the aforesaid rivers; that there was an abundance of springs, and that the water was very fine; that Little River, where the ceded lands began, was but twenty-two miles above the town of Augusta; that at this place ready market would always be found for all produce and stock; that if Savannah was preferred as a point for trade there was easy transportation down the Savannah River, while a good wagon road led from Little River to that commercial metropolis of the province; that a fort would speedily be built and garrisoned within the ceded lands for the protection of the immigrants, and that all vagrants and disorderly persons would be promptly

and severely dealt with; and finally, that these lands adjoined a well-settled part of the province, where law, justice, and good government obtained.

A plan of settlement was carefully arranged, and Colonel Bartlett and Messrs. Young, Holland, and Maddox were appointed commissioners and vested with ample powers to negotiate sales. They were authorized to place a valuation upon each tract according to its quality. Not more than five shillings per acre were to be charged in any event, and five pounds sterling were to be paid as entrance money for every hundred acres. To facilitate the business, land courts were opened in Savannah, in Augusta, and at the confluence of Broad and Savannah rivers. At this last named locality Captain Waters and his company were stationed. Here Fort James was builded. Its stockade was an acre in extent. Within this inclosure were officers' quarters and barracks for the garrison, consisting of fifty rangers, well mounted, and armed each with a rifle, two dragoon pistols, a hanger, a powder-horn, a shot-pouch, and a tomahawk.[1] In each angle of this square stockade was erected a block-house in which swivel guns were posted. These structures rose one story above the curtains, which were pierced for small arms. The stockade crowned a gentle eminence in the fork of the Savannah and Broad, equi-distant from those rivers and from the extreme point of land formed by their junction. On the peninsula above the fort was located the town called Dartmouth in honor of the earl whose influence had been exerted in persuading his majesty to favor the cession of this recently acquired territory. After a short and by no means robust existence Dartmouth gave place to Petersburg, which, during the tobacco culture in Georgia, attracted to itself a considerable population, and was regarded as a place of no little commercial importance.[2]

Settlements were rapidly formed on the Ogeechee and north of Little River, and the ceded lands were eagerly sought after. The Quakers who, through fear of the Indians, had abandoned their homes in the southern portion of what is now Columbia county, returned and diligently resumed their agricultural operations. The outlook for the speedy population of this new domain was most encouraging when the pleasing prospect was suddenly enveloped in doubt and disaster by the unexpected hostility of the Creeks.

In January, 1774, a party of Lower Creek Indians wantonly attacked Sherrall's fortified settlement, in which were five white and three negro men and twelve women and children. Approaching stealthily, the Indians fired upon the men who were at work upon the fort. Sherrall and two others fell. The rest retreated into the houses where, encouraged by the valor of a negro who rushed upon an Indian and shot him through the head, they entered upon a vigorous defense. Thrice did the savages set fire to the structures, and as

[1] Bartram's *Travels through North and South Carolina, Georgia*, etc., pp. 321, 322. London. 1792.

[2] *Dead Towns of Georgia*, pp. 233, 234. Charles C. Jones, jr. Savannah. 1878.

often were the flames extinguished. Two of the neighbors, attracted by the firing, approached. Discovered by the Indians they were pursued. Succeeding, however, in making their escape, they notified Captain Barnard of the affair. Hastily collecting about forty men, he advanced to the relief of the besieged and, attacking the Indians in the rear, drove them into the swamp. Seven persons had been killed and five wounded within the fort. Of the Indians it is known that five were slain. Their wounded was carried off by their companions.

A few days afterwards a skirmish occurred between twenty-five white settlers and one hundred and fifty Indians. Grant, Weatherford, Hammond, and Ayres were killed, and a fifth white man was wounded who died the next day at Wrightsboro. Several private forts and dwellings, which had been precipitately abandoned by their owners, were reduced to ashes by the savages. Collecting some men, Captain Few and Lieutenants Williams and Bishop buried the bodies of those who had fallen in the recent action. Lieutenant Samuel Alexander, with a few militia, attacked and dispersed a party of Indians who had become separated from the main body. Two of the Creeks were killed. For having thus, without authority, punished these Indians, Alexander was rebuked by Colonel Rae, an agent of Indian affairs. Apprised of the circumstances, however, Rae justified Alexander's conduct, and expressed the opinion that when the chiefs of the nation should be made acquainted with the entire transaction they would note the provocation and acquiesce in the propriety of the retaliation.

This sudden and disastrous invasion of the recently settled district caused general alarm and distrust. Many retreated to places of security. Forts were constructed on Savannah and Little Rivers, and in them were deposited women and children, and personal property of special value. In cultivating their farms the husbandmen banded together for mutual protection.

By a messenger dispatched by Mr. George Galphin, a principal agent for Indian affairs and a trader high in the confidence both of the colonists and of the savages, to ascertain from the chiefs of the Lower Creeks whether they were inclined to peace or war, and to demand an explanation of the recent outrages, answer was returned that the incursion was unauthorized and that the disposition of the Creeks toward the inhabitants of Georgia was pacific.

Big Elk, the leader of the Creeks who attacked Sherrall's fort, finding that his nation was averse to entering upon a war with the English, invited the Cherokees to join him in an invasion of Georgia. This the Cherokees declined to do. On his way home that chief and his party killed and scalped three white men.

About the last of March, Head Turkey,[1] a leading mico of the Upper Creeks, accompanied by two chiefs and an Indian trader, visited the Lower

[1] Called also Mad Turkey.

Creek towns to prevail upon the inhabitants to make peace with the Georgians. It was consented that he should wait upon Governor Wright and submit overtures. On his way to Savannah he was murdered in Augusta by Thomas Fee, who sought revenge for a kinsman of his who, on the northern frontier, had been butchered by the Indians. This lawless act produced a profound sensation and stirred the hearts of the savages to wrath and vengeance. Fee fled into South Carolina and there sought protection. A reward of £100 sterling was offered by Sir James Wright for his apprehension. He was arrested and lodged in the prison-house at Ninety-Six. While there detained, an armed party came in the night-time, forced the jail, and set him at liberty.

Learning that Fee had been apprehended, and that he was in confinement, several of the Creek chiefs came to Savannah to witness his execution. Grievous was their displeasure when they ascertained that he had been forcibly released. When assured that Governor Wright's proclamation was still operative, that the governor of South Carolina had offered a further reward of £200 for his arrest, and that there was good reason to believe he would yet be brought to punishment for his crime, their wrath was measurably appeased. The governor then stated to the chiefs that within four months fifteen of his people had, without any provocation, been slain by the Creeks, and that eleven of the South Carolinians had, in like manner, been slaughtered on Long Cane. He thereupon demanded of them the blood of the Indians who had murdered these innocent colonists, and questioned the propriety of their asking that justice which they failed to accord. He assured them that the king of England, if he made a requisition for it, would send him a military force capable of exterminating the whole Indian nation, and that his amicable disposition and forbearance were proof positive that he did not desire war. He insisted, however, that the blood of his innocent people should no more be shed, and warned them that if hereafter the Indians either murdered or robbed his people, he would exact atonement for every offense. On the other hand he stood pledged to make proper reparation for every injury of which they might justly complain. In the future the chiefs promised that their nation should maintain peace with the English. When about to depart, the governor ordered Captain Samuel Elbert, with his company of grenadiers, to escort them through the white settlements that no harm might befall them at the hands of the inhabitants.

During the absence of these chiefs from their nation several war parties crossed the frontiers of Georgia and committed theft and murder. In a little while commissioners from the Upper Creek towns visited the governor and reported that their warriors had killed the leader and two of the men who had been guilty of these recent depredations.[1]

[1] *McCall's History of Georgia*, vol. ii, pp. 9-13. Savannah. 1816.

These difficulties were all happily terminated, and peace was restored at a congress held in Savannah on the 20th of October, 1774.

It excites no surprise that these incursions of the savages, and the insecurity of the *New Purchase*, as it was called, materially retarded for a time the tide of immigration which was turning rapidly towards Augusta and these desirable lands. Confidence, however, was restored by the covenants and the conclusions of the Savannah Congress. Applicants for purchase soon reappeared in pleasing numbers, and those who had been driven from their partially settled homes returned and resumed their labors with renewed hope of safety and success.

Of all the Indian traders and merchants prominently associated with the commerce and development of Augusta, no one was more influential or enterprising than George Galphin. Although his home and his depot of supplies were for many years located at Silver Bluff, on the Carolina side of the Savannah River, his affiliations were chiefly with Georgia, and his intercourse was principally with her people and with the Indian tribes dwelling within and upon her borders. His relations with Augusta were constant, and materially conduced to enhance the business of the town. By William Bartram, who visited him in 1774, he is described as "a gentleman of very distinguished talents and great liberality, who possessed the most extensive trade, connections, and influence among the South and Southwest Indian tribes."

Long was Silver Bluff a place of general resort and of much commercial importance. Hence were the annual royal presents for the Indians frequently distributed. Hither did the Indians, from an extensive territory, repair to exchange their peltry and animals for articles of European manufacture. From this point did traders depart amply supplied for distant expeditions and long sojourns among the red men. Here were storehouses, cattle pens, and structures erected for the accommodation of the rude visitors. Barges plied regularly between Silver Bluff and Charlestown and Savannah, and the landing place was the resort of multitudes of Indian canoes, many of them coming from remote points. It was a busy settlement by the swiftly moving waters of the tawny-hued Savannah. Over all watched the observant eye of the proprietor. So just was he in his dealings with the sons of the forest, and so extensive were his transactions with them, that he acquired an influence at once potent and far-reaching.

The years roll on, and an increasing population, overleaping stream and mountain barrier, fills the hills and valleys of a distant interior. Before its inexorable advance the red race retires, and upon its departure the occupation of the Indian trader here becomes obsolete. Bereft of its importance this post lapses into decay, and the locality becomes the home of departed memories, the abode of traditions, and the dwelling-place of the phantoms of things that were. The same bold river with restless tide hastening onward to

mingles it waters with the billows of the Atlantic, the same overarching skies, the same potent sun, kindred forests and voices of nature, but all else how changed!

CHAPTER V.

Bartram's Description of Augusta in 1773 — Convention of 1774 — Protest from the Parish of St. Paul — Division of Sentiment — Conduct of Governor Wright — Dr. Lyman Hall — Action of St. John's Parish — Progress of the Revolution.

IN the spring of 1773 the English naturalist and botanist, William Bartram, visited Augusta. He has left the following impression of the little town: "The village of Augusta is situated on a rich and fertile plain on the Savanna River; the buildings are near its banks, and extend nearly two miles up to the cataracts or falls which are formed by the first chain of rocky hills through which this famous river forces itself as if impatient to repose on the extensive plain before it invades the ocean. When the river is low, which is during the summer months, the cataracts are four or five feet in height across the river, and the waters continue rapid and broken, rushing over rocks five miles higher up. . . . .

"It was now about the middle of the month of May; vegetation in perfection appeared with all her attractive charms, breathing fragrance everywhere; the atmosphere was now animated with the efficient principle of vegetative life. . . . Upon the rich, rocky hills at the cataracts of Augusta I first observed the perfumed rhododendron ferrugineum, white robed philadelphus inodorus, and cerulean malva; but nothing in vegetable nature was more pleasing than the oderiferous pancratium fluitans, which almost alone possesses the little rocky islets which just appear above the water."

Upon a second visit to this town he writes: "The site of Augusta is perhaps the most delightful and eligible of any in Georgia for a city. An extensive level plain on the banks of a fine navigable river, which has its numerous sources in the Cherokee mountains—a fruitful and temperate region—whence, after roving and winding about those fertile heights, they meander through a fertile, hilly country, and, one after another, combine in forming the Tugilo and Broad rivers, and then the famous Savanna River; thence they continue near a hundred miles more, following its meanders, and falls over the cataracts at Augusta, which cross the river at the upper end of the town. These falls are four or five feet perpendicular height in the summer season, when the river is low. From these cataracts upwards, this river, with all its tributaries as Broad River, Little River, Tugilo, etc., is one continued rapid, with some short

intervals of still water, navigable for canoes. But from Augusta downwards to the ocean, a distance of near three hundred miles by water, the Savannah uninterruptedly flows with a gentle meandering course, and is navigable for vessels of twenty or thirty tons burthen to Savannah, where ships of three hundred tons lie in a capacious and secure harbor.

"Augusta, thus seated at the head of navigation, and just below the conflux of several of its most considerable branches, without a competitor, commands the trade and commerce of vast fruitful regions above it, and from every side to a great distance; and I do not hesitate to pronounce, as my opinion, that it will very soon become the metropolis of Georgia."[1]

This prediction was verified by the removal, not many years afterwards, of the seat of government from Savannah to Augusta.

The passage of Lord North's bill for closing the port of Boston and occluding the commerce of a town of prime importance in the English dominions in America, and subsequent acts of oppression passed in quick succession by the British Parliament, despite the protestations of Burke, Barré, and other liberal statesmen who bravely raised their warning voices against these measures of insult and injustice, produced a profound impression upon the minds of the patriots in Georgia, and induced them to give early and decided expression to their sentiments of condemnation.

Responding to a call, issued on the 20th of July, 1774, by Noble W. Jones, Archibald Bullock, John Houstoun and John Walton, a number of the freeholders and inhabitants of the province assembled a week afterwards at the watch-house in Savannah, and, after appointing a committee on resolutions and of correspondence, adjourned to convene again on the 10th of August The chairman, Mr. John Glen, was requested to communicate with the respective districts and parishes composing the province, with a view to securing delegates from all of them who should attend at the adjourned convention and thus give general sanction to the patriotic resolutions which it was hoped would then be adopted.

Although Governor Wright issued his proclamation declaring the purposed assemblage to be "unconstitutional, illegal, and punishable by law," in direct disregard of this manifesto, and in opposition to the expressed will of his excellency, a general meeting of the inhabitants of the province was held at Tondee's tavern, in Savannah, on the 10th of August, 1774.

The following resolutions, reported by the committee raised for that purpose at the former convocation, were adopted and given to the public as an expression of the sentiments of Georgia with repect to the important questions which were then agitating the minds of the Ameriean colonists:

"*Resolved, nemine contradicente*, That his majesty's subjects in America

[1] *Travels through North and South Carolina, Georgia*, etc., etc., pp. 32–35, 314–315. London, 1792.

owe the same allegiance, and are entitled to the same rights, privileges, and immunities with their fellow subjects in Great Britain.

"*Resolved, nemine contradicente*, That, as protection and allegiance are reciprocal, and under the British constitution correlative terms, his majesty's subjects in America have a clear and indisputable right, as well from the general laws of mankind as from the ancient and established customs of the land, so often recognized, to petition the throne upon every emergency.

"*Resolved, nemine contradicente*, That an act of parliament, lately passed for blockading the port and harbor of Boston, is contrary to our idea of the British constitution, first, for that it in effect deprives good and lawful men of the use of their property without judgment of their peers, and secondly, for that it is in the nature of an *ex post facto* law, and indiscriminately blends as objects of punishment the innocent with the guilty; neither do we conceive the same justified upon a principle of necessity, for that numerous instances evince that the laws and executive power of Boston have made sufficient provision for the punishment of all offenders against persons and property.

"*Resolved, nemine contradicente*, That the act for abolishing the charter of Massachusetts Bay tends to the subversion of *American* rights; for, besides those general liberties, the original settlers brought over with them as their birthright particular immunities granted by such Charter, as an inducement and means of settling the province; and we apprehend the said Charter cannot be dissolved but by a voluntary surrender of the people, representatively declared.

"*Resolved, nemine contradicente*, That we apprehend the Parliament of Great Britain hath not, nor ever had, any right to tax his majesty's American subjects; for it is evident, beyond contradiction, the constitution admits of no taxation without representation; that they are coeval and inseparable; and every demand for the support of government should be, by requisition, made to the several houses of representatives.

"*Resolved, nemine contradicente*, That it is contrary to natural justice and the established law of the land, to transport any person to Great Britain or elsewhere to be tried under indictment for a crime committed in any of the colonies, as the party prosecuted would thereby be deprived of the privilege of trial by his peers from the vicinage, the injured perhaps prevented from legal reparation, and both lose the full benefit of their witnesses.

"*Resolved, nemine contradicente*, That we concur with our sister colonies in every constitutional measure to obtain redress of *American* grievances, and will, by every lawful means in our power, maintain those inestimable blessings for which we are indebted to God and the constitution of our country—a constitution founded upon reason and justice and the indelible rights of mankind.

"*Resolved, nemine contradicente*, That the committee appointed by the meeting of the inhabitants of this province on Wednesday, the 27th of July last, together with the deputies who have appeared here on this day from the

different parishes, be a general committee to act, and that any eleven or more of them shall have full power to correspond with the committees of the several Provinces upon the continent; and that copies of these resolutions, as well as of all other proceedings, be transmitted without delay to the Committees of Correspondence in the respective Provinces."

A committee, consisting of William Ewen, William Young, Joseph Clay, John Houstoun, Noble Wimberley Jones, Edward Telfair, John Smith, Samuel Farley, and Andrew Elton Wells, was appointed to solicit, receive, and forward subscriptions and supplies for the suffering poor in Boston. Within a short time five hundred and seventy-nine barrels of rice were contributed and shipped to that town.

While this meeting was most respectably constituted, and while its deliberations and conclusions were harmonious, it must not be supposed that there was no division of sentiment in Georgia upon the political questions of the day. On the contrary, the royal party was strong and active, and it required no little effort on the part of the "Liberty Boys" to acquire the mastery and place the province fairly within the lists of the Revolutionists. The line of demarcation was sometimes so sharply drawn that father was arrayed against son, and brother against brother. Thus, not to multiply instances, the Hon. James Habersham and Colonel Noble Jones maintained their allegiance to the crown, while their sons were amongst the foremost champions of the rights of the colony. The brothers Telfair were divided in sentiment upon the momentous issues then involved. The cruel effects of such disagreements, experienced during the progress of the Revolution, were projected, not infrequently, even beyond the final establishment of the republic. No cause of quarrel can be more dangerous than that involving a conflict of opinion touching the relative rights of the governing and the governed. No calamities are so appalling as those engendered in a strife between peoples of the same race, and claiming privileges emanating from the same fountain head. Polybius was right when he said that such dissensions were to be dreaded much more than wars waged in a foreign country, or against a common enemy.

The only paper published in the colony at this time was the *Georgia Gazette*. It was under the control of Governor Wright, and its official utterances were in support of the royal cause. In its issue of Wednesday, September 7, 1774,[1] appeared a card signed by James Habersham, Lachlan McGillivray, Josiah Tattnall, James Hume, Anthony Stokes, Edward Langworthy, Henry Yonge, Robert Bolton, Noble Jones, David Montaigut and some ninety-three others, inhabitants and freeholders chiefly of the town and district of Savannah, criticising the meeting of the 10th of August, and protesting that the resolutions then adopted should not be accepted as reflecting the sentiments of the people of Georgia. "The important meeting of the 10th of August in the de-

[1] No. 570.

fense of the constitutional rights and liberties of the American subjects," these gentlemen affirmed, "was held at a tavern, with the doors shut for a considerable time; and it is said twenty-six persons answered for the whole province, and undertook to bind them by resolutions; and when several gentlemen attempted to go in, the tavern-keeper, who stood at the door with a list in his hand, refused them admittance because their names were not mentioned in that list. Such was the conduct of these pretended advocates for the liberties of America. Several of the inhabitants of St. Paul and St. George, two of the most populous parishes of the province, had transmitted their written dissents to any resolutions, and there were gentlemen ready to present these dissents, had not the door been shut for a considerable time and admittance refused. And it is conceived the shutting of the door, and refusing admittance to any but resolutioners, was calculated to prevent the rest of the inhabitants from giving their dissent to measures that were intended to operate as the unanimous sense of the Province. Upon the whole, the world will judge whether the meeting of the 10th of August, held by a few persons in a tavern, with doors shut, can with any appearance of truth or decency, be called a general meeting of the inhabitants of Georgia." Such is the other side of the story as told by a pen dipped in the king's ink.

The following is the protest from certain inhabitants of the parish of St. Paul. It will be found in number 575 of *The Georgia Gazette*, under date of Wednesday, October 12, 1774:

"*Georgia, Parish of St. Paul.*—We, inhabitants of the town and district of Augusta, think it incumbent upon us in this public manner to declare our dissent from, and disapprobation of certain resolutions published in this *Gazette*, entered into on Wednesday, the 10th day of August, as it is there said, *at a general meeting of the inhabitants of this province*, though we are credibly informed that the said meeting, so far from being general, was not even numerous, and that one of our representatives, whom we had provided with a protest, and our reasons-at-large why we could not agree to any resolutions expressive of disaffection or disrespect to our most gracious king, or the Lords and Commons of Great Britain, thought it improper to deliver said protest to a few people, met privately in a tavern, having also been told by some gentlemen coming from the place of meeting, that they had been refused admittance.

"We entirely dissent from the aforesaid resolutions. First, because we apprehend that this mode of assembly, and entering into resolutions that arraign the conduct of the king and parliament is illegal, and tends only to alienate the affection, and forfeit the favor and protection of a most gracious sovereign, and to draw upon this colony the displeasure of the Lords and Commons of Great Britain. Secondly, because, if we have real grievances to complain of, the only legal and constitutional method of seeking redress is, we apprehend, to instruct our representatives in Assembly to move for and promote a decent

and proper application to his majesty and the Parliament for relief. Thirdly, because, if we should be silent upon this occasion, our silence would be construed into consent, and a partial act of, and resolutions entered into by, some individuals might be considered as the general sense of the province.

"We therefore, in duty to our king, our country, and ourselves, do hereby solemnly protest against the proceedings of the aforesaid meeting, and declare our entire dissent from the resolutions entered into at the same.

"As witness our hands at Augusta this 30th day of August, 1774." Signed by Robert Mackay, Andrew Johnston, Edward Barnard, William Goodgion, James Gordon, James Grierson, John Daniel Hammerer, Francis Begbie, Thomas Graham, Francis Pringle, Donald Cameron, John Frances, Daniel Waiscoat, George Barnard, Charles Walker, John Pratt, William Matthews, Robert Bonner, Benjamin Webster, Martin Weatherford, Abraham Spear, John Lamar, John Francis Williams, Peter Paris, John Bacon, Sherwood Bugg, William Bugg, Daniel Wolecon, William Johnson, Charles Clark, Moody Butt, Samuel Clark, John Howell, John Dooly, Thomas Grierson, Robert Grierson, Spencer Kelly and Joseph Leslie.

In the same number of the *Gazette* appear two more numerously signed protests from the parish of St. Paul, one from the "Inhabitants of the town and township of Wrightsborough and places adjacent," and the other from the "Inhabitants of the Kyoka and Broad River settlements."

In the absence of accurate information, we are inclined to believe that, at the inception of these disagreements between the mother country and her American colonies, the citizens of the parish of St. Paul, while divided in sentiment upon the grave questions then agitating the public mind, were largely in sympathy with the crown, and averse to allying themselves with the Revolutionists. As a rule the office holders, the men of means, and the older inhabitants hesitated, by word or act, to do anything which would tend to anger the king and Parliament. The young men and the ardent, on the contrary, were inclined to be precipitate, and refrained not from enlisting themselves under the banner of the "Sons of Liberty."

It excites no wonder that many of the wealthiest and most influential citizens of Georgia should have tenaciously clung to the fortunes of the crown and sincerely deprecated all idea of a separation from the mother country. Of all the American colonies this province had subsisted most generously upon royal bounty, and had been the recipient of favors far beyond those extended to sister plantations.

To these protests from the inhabitants of Saint Paul, the committee of Saint John's parish, through Chairman Lyman Hall, on the 17th of October, 1774, submitted an elaborate rejoinder.[1] This evoked from a signer of the Augusta protest the following humorous retort, addressed to the printer of the

[1] See the Georgia *Gazette*, No. 577, under date October 26, 1774.

Georgia *Gazette*:[1] "Give me leave to tell you a story. A gentleman, whom for the present we shall call Paul, had a very splenetic brother named John, who was very apt to take fire whenever Paul took upon himself, in a friendly way, to remonstrate against his conduct. It happened once that, while they were smoking their pipes by the fire, Paul took occasion calmly to censure some part of John's behavior, which he thought reprehensible, at which, the choleric gentleman, being touched in his tender part, immediately broke out and abused his well-meaning brother (in much the same strain as I see the St. John's committee have abused their well-meaning brethren in our parish for daring to think differently from themselves) with a most impetuous torrent of groundless and uncharitable rancor; to which, after John had fully vented his spleen, and taken a little breath, Paul made no answer, but blew a mouthful of smoke, which he had very deliberately collected for the purpose, full in John's face, and, upon John's vehemently asking him the meaning of such behavior, replied, with great indifference, "Wind for wind, John."

Then came the answer of Miso Tyrannus,[2] presenting "smoke for smoke;" and so the battle of words was waged in the columns of the only journal published in the colony. Some of these communications were caustic, and tended to widen and intensify the differences then existent in the public mind with regard to the political situation.

The two parties in the province were already counting noses, and marshaling their forces for the impending contest. Violent altercations were not infrequent, and the animosity existing between the professed adherents to the crown and the avowed opponents to longer submission to British rule, was every day becoming more pronounced. With that political sagacity which characterized him, Governor Wright foresaw the danger and confessed the inability of the colonial government to sustain itself In the face of the gathering storm. He frankly admitted to the home authorities that it required the interposition of a power greater than that possessed by the executive, to rectify alleged abuses, remedy existing evils, repress present lawlessness, and subdue the flame of independence which was each year burning more fiercely in the province. In the convention of the 10th of August, the expediency of sending six deputies to the proposed general Congress of the American colonies was discussed. The suggestion, however, did not receive the sanction of that assemblage, and so Georgia was not represented in that congress.

Mortified at the apathy displayed, and the lack of prompt action on the part of the other parishes, the inhabitants of St. John's parish, with surprising unanimity, resolved independently to "prosecute their claims to an equality with the Confederated colonies." This parish then possessed nearly one-third of the aggregate wealth of Georgia, and its citizens were remarkable for their

[1] See the Georgia *Gazette*, No. 579, under date November 9, 1774.

[2] The Georgia *Gazette*, No. 582, under date Wednesday, November 30, 1774.

thrift, courage, honesty and determination. Having adopted certain resolutions by which they obligated themselves to hold no commerce with Savannah, or other places, except under the supervision of a committee, and then only with a view to procuring the necessaries of life, and having avowed their entire sympathy with all the articles and declarations promulgated by the general Congress, the inhabitants of St. John's parish elected Dr. Lyman Hall to represent them in the Continental Congress. This appointment occurred on the 21st of March, and no more suitable selection could have been made. Among the prominent citizens of the parish none occupied a position superior to that accorded to Dr. Hall. A native of Connecticut, he had long been identified with the region, and was a member of the Midway congregation. Owning and cultivating a rice plantation on the Savannah and Darien road, only a few miles from Midway meeting-house, he resided in Sunbury and was the leading physician in that community. When departing for the continental Congress he carried with him, as a present from his constituents to the suffering republicans in Massachusetts, one hundred and sixty barrels of rice and fifty pounds sterling. On the 13th of May, this gentleman, who had been largely instrumental in persuading the parish of St. John to this independent course, presented his credentials in Philadelphia and was unanimously admitted to a seat in Congress, "*as a delegate from the parish of St. John, in the Colony of Georgia*, subject to such regulations as the Congress should determine relative to his voting." Until Georgia was fully represented, Dr. Hall declined to vote upon questions which were to be decided by a vote of colonies. He, however, participated in the debates, recorded his opinions in all cases where an expression of sentiment by colonies was not required, and declared his earnest conviction "that the example which had been shown by the parish which he represented would be speedily followed, and that the representation of Georgia would soon be complete."

The patriotic spirit of its inhabitants and this independent action of St. John's parish in advance of the other parishes of Georgia were afterwards acknowledged when all the parishes were in accord in the revolutionary movement. As a tribute of praise and in token of general admiration, by special act of the Legisiature the name of Liberty county was conferred upon the consolidated parishes of St. John, St. Andrew, and St. James. Sir James Wright was not far from the mark when he located the head of the rebellion in St. John's parish, and advised the Earl of Dartmouth that the rebel measures there inaugurated were to be mainly referred to the influence of the "descendants of New England people of the Puritan Independent sect," who, retaining "a strong tincture of republican or Oliverian principles, have entered into an agreement among themselves to adopt both the resolutions and the association of the Continental Congress." On the altars erected within the Midway district were the fires of resistance to the dominion of England kindled in bold-

est relief; and Lyman Hall, of all the dwellers there, by his counsel, exhortations, and determined spirit, added stoutest fuel to the flames. Between the immigrants from Dorchester and the distressed Bostonians existed not only the ties of a common lineage, but also sympathies born of the same religious, moral, social and political education. Hence we derive an explanation why the Midway settlement avowed, at such an early stage and so emphatically, entire sympathy with the revolutionists. The Puritan element, cherishing and proclaiming intolerance of the established church and of the divine right of kings, impatient of restraint, accustomed to independent thought and action, and without associations which encouraged tender memories of, and love for the mother country, asserted its hatreds, its affiliations and its hopes with no uncertain utterance, and appears to have controlled the action of the entire parish.

Since its settlement Georgia had received, by grant of Parliament, nearly £200,000, in addition to generous bounties lavished in aid of silk culture and various agricultural products. This fact weighed with no little force upon the minds of many, and Governor Wright sought every opportunity to inculcate gratitude towards a sovereign whose paternal care had been so kindly manifested.

Other colonies had charters upon which to base some claims for redress. Georgia had none. Upon the surrender by the trustees of the charter granted to them by King George the Second, all chartered privileges became extinct. Upon its erection into a royal province, the commission of the governor, and the instructions of his majesty communicated through the Lords of Trade and Plantations and the Privy Council, constituted the supreme measure of privilege and the rules of government

For fourteen years had Sir James Wright presided over the colony with impartiality, wisdom and firmness. Through his zeal and watchfulness the province had been delivered from the horrors of Indian warfare, and guided into the paths of peace and plenty. By his negotiations millions of acres had been added to the public domain. Diligent in the discharge of his official duties, firm in his resolves, just in the exercise of his powers, loyal in his opinions, courteous in his manners, thrifty in the conduct of his private affairs, and exhibiting the operations of a vigorous and well-balanced judgment, he secured the respect and affection of his people. Although differing from many of the inhabitants upon the political questions which were now dividing the public mind, he never suffered himself to be betrayed into acts of violence or revenge. He preferred to counsel, to enlighten, to exhort. Georgia was prosperous, and her development, year by year, was marked. Her position therefore was peculiar, and it excites no surprise that at the outset there should have been a division of sentiment upon the momentous political issues presented for her consideration. The period of doubt, however, was short in its duration. Be-

fore Jefferson framed his immortal declaration of independence, Georgia cast her lot with her sister American colonies and, through her delegates, was participating in the adoption of those measures which brought about the War of the Revolution. Of all the English provinces in America Georgia had least cause to take arms against the mother country.

CHAPTER VI.

Revolutionary Movements in Savannah—Thomas Brown Tarred and Feathered in Augusta—Provincial Congress of July 4, 1775—Article of Association—Organization of the Militia and of the Courts—Independence of Georgia Proclaimed—Military Operations.

FORWARDED by post-riders, traveling night and day, came the news of the affairs at Lexington and Concord. Reaching Savannah on the evening of the 10th of May, the report of this shock of arms created the profoundest excitement. Gage's order, promulgated on that epochal occasion by the haughty lips of Major Pitcairn—"Disperse ye villains! ye rebels disperse!"—was answered by defiant shouts from the granite hills of New England to the echoing Savannahs of the South. The blood of yeomen shed on Lexington green cemented the union of the colonies. The thunders of the 19th of April awoke the Georgia parishes from their lethargy, incited to prompt action, and turned the popular tide in favor of resistance to Parliamentary rule.

At a late hour on the night of the 11th of May, a party, under the leadership of Dr. Noble W. Jones, Joseph Habersham, Edward Telfair, William Gibbons, Joseph Clay and John Milledge, broke open the magazine in Savannah, and removed therefrom some six hundred pounds of gunpowder. The tradition lives, and is generally credited, that some of the powder, thus obtained, was forwarded to Cambridge, Mass., and was actually expended by the patriots in the memorable battle of Bunker Hill.

On the 21st of June a call, signed by Noble W. Jones, Archibald Bullock, John Houstoun and George Walton was published, requesting the inhabitants of the town and district of Savannah to meet at the liberty pole for the purpose of selecting a committee to bring about a union of Georgia with the other colonies in the effort to achieve national independence. The convocation occurred at the indicated time and place, and a Council of Safety, consisting of William Ewen, president, William LeConte, Joseph Clay, Basil Cooper, Samuel Elbert, William Young, Elisha Butler, Edward Telfair, John Glenn, George Houstoun, George Walton, Joseph Habersham, Francis H. Harris, John Smith and John Morell, members, and Seth John Cuthbert, secretary, was appointed

with instructions to maintain an active correspondence with the Continental Congress, with the Councils of Safety in other provinces, and with the committees nominated in the other parishes in Georgia. One of the resolutions adopted at this meeting of the 22d of June provided that Georgia would not afford protection to, or become an asylum for, any person who, from his conduct might be properly considered inimical to the common cause of American liberty, or who should have drawn upon himself the disapprobation or censure of any of the other colonies.

In disregard of the purport of this resolution, openly proclaiming his allegiance to the Crown, and actively opposing the operations of the Council of Safety in the parish of St. Paul, Thomas Brown, whom Sir James Wright calls "a young gentleman of Augusta," attracted the notice and encountered the enmity of the "Liberty Boys" of that town. Refusing to hearken to their warnings, and mend his ways, he was arrested by a mob of Revolutionists, was tarred and feathered, hoisted into a cart illuminated for the occasion, was paraded for hours through the principal streets, and was finally forced to seek protection in South Carolina.[1] Smarting under these indignities, he subse-

[1] The *Georgia Gazette* furnishes the following account of the affair: "This day a respectable body of the Sons of Liberty marched from this place (Augusta), to New Richmond, in South Carolina, in order to pay a visit to Thomas Brown and William Thompson, esqs, two young gentlemen, lately from England, for their having publicly and otherwise expressed themselves enemies to the measures now adopted for the support of American liberty, and signing an association to that effect, besides their using their utmost endeavors to inflame the minds of the people, and to persuade them to associate and be of their opinion. But upon their arrival they found the said Thompson, like a traitor, had run away; and the said Thomas Browne, being requested in civil terms to come to Augusta to try to clear himself of such accusations, daringly repeated that he was not, nor would he be answerable to them, or any other of them, for his conduct; whereupon they politely escorted him into Augusta, where they presented him with a genteel and fashionable suit of tar and feathers, and afterwards had him exhibited in a cart from the head of Augusta to Mr. Weatherford's, where out of humanity they had him taken care of for that night; and on the next morning he, the said Thomas Browne, having publicly declared upon his honor, and consented voluntarily to swear that he repented for his past conduct, and that he would, for the future, at the hazard of his life and fortune, protect and support the rights and liberties of America, and saying that the said Thompson had misled him, and that therefore he would use his utmost endeavors to have his name taken from the association he had signed as aforesaid; and further, that he would do all in his power to discountenance the proceedings of a set of men in the Ninety-Sixth District in South Carolina, called Fletchell's Party; upon which, the said Browne was then discharged, and complimented with a horse and chair to ride home. But the said Thomas Browne, that time having publicly forfeited his honor and violated his oath voluntarily taken as aforesaid, is therefore not to be considered for the future in the light of a gentleman, and they, the said Thomas Browne and William Thompson are hereby published as persons inimical to the rights and liberties of America; and it is hoped all good men will treat them accordingly.

"N. B. The said Thomas Browne is now a little remarkable; he wears his hair very short, and a handkerchief tied around his head, in order that his intellects by the cold weather may not be affected."

In August, 1775, William Davis, for publicly declaring himself a foe to the Sons of Lib-

quently took service with the king's forces, became an active officer, and, with hatred in his heart, returned to Augusta and wreaked vengeance upon the inhabitants of the town where he had suffered such outrage and humiliation.

Memorable in the political annals of the colony were the proceedings of the Provincial Congress which assembled at Savannah on the 4th of July, 1775. Every parish was represented, and the delegates were fair exponents of the intelligence, the dominant hopes, and the material interests of the communities from which they respectively came. This was Georgia's first secession convention. It placed the province in active sympathy and confederated alliance with the other twelve American colonies, practically annulled within her limits the operation of the objectionable acts of Parliament, questioned the supremacy of the realm, and inaugurated measures for the accomplishment of the independence of the plantation and its erection into the dignity of a State.

The following members from the parish of St. Paul were present and participated in its deliberations: John Walton, Andrew Burns, Robert Rae, James Rae, Andrew Moore, Andrew Burney, and Leonard Marbury. Joseph Maddock was also a delegate, but he declined to take his seat.

Proclaiming in terms most emphatic their conception of the natural and constitutional rights which appertained to them as citizens of Georgia and subjects of Great Britain; testifying their determined opposition to the late objectionable acts of Parliament, their admiration of the conduct of New England, and their resolution to share the fortunes of their sister colonies; manifesting their willingness to observe all orders of the Continental Congress, indicating their loyalty to America, and suggesting such measures as they deemed appropriate in the present perplexed condition of public affairs, the members of Congress speaking for themselves, their constituents, and for the entire province of Georgia, on the 10th of July, 1775, passed the following preamble and resolutions:

"WHEREAS, By the unrelenting fury of a despotic ministry, with a view to enforce the most oppressive acts of a venal and corrupted Parliament, an army of mercenaries, under an unfeeling commander, have actually begun a civil war in America; and whereas, the apparent iniquity and cruelty of these obstructive measures have, however, had this good effect, to unite men of all ranks in the common cause; and, whereas, to consult on means of safety and the method of obtaining redress the good people of this Province of Georgia have thought proper to appoint a Provincial Congress; the delegates met at the said Congress, now assembled from every part of the province, besides

erty, was drummed three times round the Liberty Tree in Augusta, and published as a person "inimical to the rights and liberties of America."

The Liberty Boys were then "carrying things with a high hand," and would brook no opposition. The flames of a revolution, once thoroughly kindled, are resistless in their onward sweep, attracting to their fiery embrace not only all that stands within the direct line of their passage, but whatever trembles on the verge of the heated vortex.

adopting the resolutions of the late Continental Congress, find it prudent to enter into such other resolutions as may best express their own sense and the sense of their constituents on the present unhappy situation of things, and therefore think fit and necessary to resolve as follows, viz.:

"*Resolved*, That we were born free, have all the feelings of men, and are entitled to all the natural rights of mankind.

"*Resolved*, That by birth or incorporation we are all Britons, and whatever Britons may claim as their birthright, is also ours.

"*Resolved*, That in the British Empire, to which we belong, the constitution is superior to every man or set of men whatever, and that it is a crime of the deepest dye in any instance to impair, or take it away, or deprive the meanest subject of its benefits.

"*Resolved*, That that part of the American continent which we inhabit was originally granted by the crown, and the charter from Charles the Second expressly makes its constitutional dependence upon the crown only.

"*Resolved*, That those who would now subject all America, or this province to dependency upon the crown and Parliament, are guilty of a very dangerous innovation, which in time will appear as injurious to the crown as it is inconsistent with the liberty of the American subject.

"*Resolved*, That by the law of nature and the British constitution no man can be legally deprived of his property without his consent, given by himself or his representatives.

"*Resolved*, That the acts of the British Parliament for raising a perpetual revenue on the Americans by laying a tax on them without their consent and contrary to their protestations, are diametrically opposite to every idea of property, to the spirit of the constitution, and at one stroke deprive this vast continent of all liberty and property, and, as such, must be detested by every well-wisher to Great Britain and America.

"*Resolved*, That the subsequent laws, made with a view to enforce these acts, viz.: the Boston Port Bill, the Alteration of their Charter, the Act to carry beyond sea for Trial, and (what refines upon every species of cruelty) the Fishery Bill, are of such a complexion that we can say nothing about them for want of words to express our abhorrence and detestation.

"*Resolved*, That the loyalty, patience, and prudence of the inhabitants of New England under their unparalleled pressures having been construed into timidity and a dread of regular troops, a civil war in support of acts extremely oppressive in themselves hath actually been begun, and there is too much reason to believe that plans have been in agitation big with everything horrible to other Provinces; plans as rash, barbarous and destructive as the cause which they were intended to serve.

"*Resolved*, That in these times of extreme danger, our assembly not being permitted to sit, we must either have been a people without all thought or

counsel, or have assembled as we now are in Provincial Congress to consult upon measures which, under God, may prove the means of a perpetual union with the Mother Country, and tend to the honor, freedom, and safety of both.

"*Resolved*, That this Province bears all true allegiance to our own rightful Sovereign, King George the Third, and always will and ought to bear it agreeable to the constitution of Great Britain, by virtue of which only the King is now our Sovereign, and which equally binds Majesty and subjects.

"*Resolved*, That we are truly sensible how much our safety and happiness depend on a constitutional connection with Great Britain, and that nothing but the being deprived of the privileges and natural rights of Britons could ever make the thought of a separation otherwise than intolerable.

"*Resolved*, That in case his Majesty or his successors shall at any time hereafter make any requisition on the good people of this Province by his representative, it will be just and right that such sums should be granted as the nature of the service may require, and the ability and situation of this Province will admit of.

"*Resolved*, That this Province join with all the Provinces in America now met by Delegates in Continental Congress, and that John Houstoun and Archibald Bullock, esquires, the Rev. Dr. Zubly, Lyman Hall, and Noble Wymberly Jones, esqs., be the delegates from this Province, and that any three constitute a quorum for that purpose.

"*Resolved*, That a Committee be appointed whose duty it shall be to see that the resolutions of the Continental Congress and Provincial Congress be duly observed, and that every person who shall act in opposition thereto have his name transmitted to the Continental Congress, and that his misdeeds be published in every American paper.

"*Resolved*, That with all such persons, except the indispensable duties we owe to all mankind (bad men and enemies not excepted) we will have no dealings nor connection; and we extend this our resolution also to all such persons or corporations in Great Britain who have shown themselves enemies to America.

"*Resolved*, That we will do what in us lies to preserve and promote the peace and good order of this Province; and should any person become an innocent sufferer on account of these grievances, we will do whatever we justly may for his relief and assistance.

"*Resolved*, That in such calamitous times as the present, every possible indulgence ought to be given to honest debtors; that it would be ungenerous (unless there appear intention of fraud) in any gentleman of the law to sue without previous notice; and any person so sued may apply to the Committee; and should it appear to them that the creditor is in no danger of losing his money, or that he can be properly secured, they shall interpose their friendly offices to persuade him to drop the prosecution; and every prosecutor that

shall appear to take advantage of the confusion of the times to distress his debtor, ought to be publicly pointed out and held in abhorrence.

"*Resolved*, That notwithstanding in a late Bill for restraining the trade of several Provinces in America, this Province is excepted, we declare that we look upon this exception rather as an insult than a favor; as being meant to break the union of the Provinces, and as being grounded on the supposition that the inhabitants of such excepted Province can be base enough to turn the oppression of America into a mean advantage."[1]

Having memorialized the General Congress, the governor, the citizens of Georgia, and the king; having framed a bill of rights and proclaimed the privileges for which they were resolved to contend; having introduced Georgia into the fold of the confederated provinces; having enlarged the powers and strengthened the hands of the Council of Safety, and appointed committees of correspondence and of intelligence; having provided the ways and means for future sessions of congress; and, above all, having demonstrated the inability of the king's servants to control the province in the present crisis, this assembly—perhaps the most important ever convened in Georgia—adjourned on the 17th of July, subject to further call up to the 20th of August.

On the 13th of July the Provincial Congress unanimously adopted this article of association:

"GEORGIA. Being persuaded that the salvation of the rights and liberties of America depend, under God, on the firm union of the inhabitants in its vigorous prosecution of the measures necessary for its safety, and convinced of the necessity of preventing the anarchy and confusion which attend the dissolution of the powers of government, we, the freemen, freeholders, and inhabitants of the Province of Georgia, being greatly alarmed at the avowed design of the Ministry to raise a revenue in America, and shocked by the bloody scene now acting in the Massachusetts Bay, do, in the most solemn manner, resolve never to become slaves; and do associate, under all the ties of religion, and honor, and love to our country, to adopt and endeavor to carry into execution whatever may be recommended by the Continental Congress, or resolved upon by our Provincial Convention, appointed for preserving our constitution and opposing the execution of the several arbitrary and oppressive acts of the British Parliament, until a reconciliation between Great Britain and America, on constitutional principles, which we most ardently desire, can be obtained; and that we will, in all things, follow the advice of our general committee appointed, respecting the purposes aforesaid, the preservation of peace and good order, and the safety of individuals and private property."

John Smith, Basil Cowper, George Houstoun, Joseph Clay, William Young, Philip Box, Seth John Cuthbert, William O'Bryan, George Walton, William LeConte, William Gibbons, Samuel Elbert, Edward Telfair and Oliver Bowen

[1] See *Georgia Gazette* of July 12, 1775, No. 614.

were designated as a committee "to present this association to all the inhabitants of the Town and District of Savannah to be signed." Expedition was enjoined, and these gentlemen were requested to furnish the General Committee with the names of all who declined to affix their signatures.

The article of association adopted by the Provincial Congress was industriously circulated throughout the province, and an opportunity was afforded to all citizens to sign it. Comparatively few there were who declined to affix their signatures. The revolutionists were in earnest, and it required no little nerve to resist their appeals, gainsay their arguments, or incur their displeasure. It was deemed essential to the success of the liberty cause that no officer should be retained in commission who refused or neglected to sign that article of association. Accordingly the militia was thoroughly purged of the loyalist element. In the organization of the battalion, raised under authority of the Continental Congress at the common charge of the united provinces for the protection of Georgia, of which Lachlan McIntosh was colonel, Samuel Elbert, lieutenant-colonel, and Joseph Habersham, major, Augusta was credited with one company officered by Chesley Bostick as captain, and John Martin as first lieutenant.

The last branch of the government over which the Provincial Congress assumed control, was the judicial. All courts of law were taken under its supervision, and a committee of fifteen was appointed to hold quarterly sessions in Savannah as a Court of Appeals "to hear and determine between the parties, and sanction or prohibit processes according to the circumstances of the case."

The erection of Georgia into a body politic, apart from and opposed to the government hitherto existing by authority of the crown, was now accomplished. The president of the Council of Safety was virtually the governor of this quasi-commonwealth. Such laws as were requisite for the preservation of the public peace, the maintenance of order, and the defrayal of current expenses, were promulgated as resolutions by the Provincial Congress and by the Council of Safety. Courts competent for the assertion of rights and the redress of wrongs were in active operation. A military force had been organized for the common defense. A union with the other American colonies had been perfected. A royal governor, it is true, still resided in Savannah, but he was little else than a prisoner with a barren sceptre in his grasp. Members of the king's council there were, but their advice was neither asked nor allowed in the conduct of affairs. Other officers, holding warrant from the crown, were idle spectators of events. Within the entire circuit of the province there was none to enforce the will of his majesty. Well might Governor Wright exclaim in behalf of himself and the other servants of the king in Georgia, "we shall not remain much longer in this distressful condition."

From this period until the erection of Georgia into a State upon the conclusion of the Revolutionary War, there occurred but little legislation in the proper

acceptation of that term. The general assemblies, which convened at various times during Governor Wright's administration, had given to the statute book no fewer than one hundred and forty-eight acts and resolutions, covering a wide range of subjects, and providing for the growing wants of a province which had already assumed the proportions of an important, populous, and profitable dependency. These laws, where they did not militate against the newly erected government and the changed condition of affairs, were allowed to remain in active operation.

The arrest by Major Joseph Habersham, and a party selected by himself, of his excellency Sir James Wright, the flight of the royal governor, the formation of a temporary constitution, the selection of the Hon. Archibald Bulloch as the first Republican president of Georgia, the first passage at arms at Savannah wherein Colonel McIntosh frustrated the attempt of Captain Barclay and Major Grant to capture the rice-laden vessels lying at anchor in the Savannah River, the gallant demonstration against the enemy upon Tybee Island, the futile effort of Captain Baker to surprise Wright's Fort on the River St. Mary, the promulgation of the Declaration of Independence in Savannah, the invasion of the Cherokee territory by the column led by Colonel Jack assisted by Captains John Twiggs, John Jones, Leonard Marbury, Samuel Alexander and Thomas Harris, the adoption of the constitution of 1777, the capture of Fort McIntosh, Governor Gwinnett's ill conceived project for the subjugation of East Florida, Colonel Baker's defeat, the bloody duel between Gwinnett and McIntosh, Dayton's vain attempt to effect a consolidation of the States of South Carolina and Georgia, the disastrous expedition of Governor Houstoun and General Howe against East Florida, Colonel Elbert's gallant capture of the Hinchinbrooke, Colonel Clark's brave assault upon the enemy's works at Alligator Creek, the transfer by the British of the theater of war from the northern to the southern provinces, the invasion of Southern Georgia by Colonels Fuser and Prevost, the affair near Midway Meeting-House, the successful defense of Fort Morris at Sunbury, and the capture of Savannah by Colonel Campbell, were some of the important events which followed in rapid succession.

CHAPTER VII.

Colonel Campbell's Advance Upon, and Capture of Augusta — Republican Operations in Upper Georgia — Battle of Kettle Creek — Augusta Evacuated by the King's Forces.

UPON the fall of Savannah in December, 1778, and the withdrawal of the remnant of General Howe's army into South Carolina, the entire coast region of Georgia, with the exception of Sunbury, was open to the enemy,

who issued very stringent proclamations and exacted tribute most onerous. Never was change more sudden or violent wrought in the status of any people. Fort Morris soon surrendered unconditionally to General Prevost, and Ebenezer, without a struggle, quickly passed into the possession of the king's forces. Southern Georgia was now in a deplorable plight. Unable to support themselves amid the destitution, demoralization, and restrictions to which the subjugated territory was subjected, many of the inhabitants set out for Carolina, where, aided by the charity of strangers, they hoped to subsist until the coming season afforded an opportunity for planting and harvesting crops in their new homes. Others, possessing the means of subsistence, were so hampered by royal edicts, and were so preyed upon by foreign and domestic foes, that they abandoned the country in quest of peace and security.

Augusta, alone, of all the rebel posts in Georgia, had not yet submitted to the royal arms. It was occupied by a provincial force under Brigadier-General Williamson, and its reduction was necessary to complete the subjugation of Georgia. About the middle of January, 1779, Colonel Campbell was detached with a column about a thousand strong to capture this town. The Savannah River was now the dividing line between the contending armies. General Lincoln was at Purrysburg, on the north side of the river, with a force of some five hundred continentals and two thousand provincials. The main body of the enemy was at Abercorn. In Savannah were one thousand Hessians. At the Two Sisters there was a detachment of six hundred men. Two hundred more guarded Zubly's ferry, and at Ebenezer a considerable force was stationed.[1] So near were the two armies that, in the language of General Moultrie, writing from Purrysburg, "we hear their drums beat every morn from our outposts; nay, hear their sentinels cough."

Although anxious to inaugurate a movement for the relief of Georgia, the American commander found himself too weak to cross the river. His troops were in large measure undisciplined, and lacked arms. The North Carolina levies, under the command of General Richardson, were discontented and on the eve of returning home. From Georgia came no recruits. "Most of the inhabitants of that State," reports General Moultrie, "have submitted quietly to the British government, and I believe they will remain neutral unless we go in with a considerable body so as to insure success." All that General Lincoln could do, under the circumstances, was to act upon the defensive, encourage reinforcements, and prevent the enemy from crossing over into Carolina.

Advancing for the capture of Augusta, Colonel Campbell sent forward Colonels Brown and McGirth with four hundred mounted militiamen to make a forced march to the jail in Burke county, and there form a junction with Colonel Thomas and his party of loyalists.

[1] See *Letter of General Moultrie to Colonel C. C. Pinckney*, dated Purrysburg, January 16, 1779.

Advised of this movement, Colonels John Twiggs and Benjamin and William Few quickly concentrated an opposing force of two hundred and fifty mounted men. Attacked by Brown and McGirth, they succeeded in repulsing them, inflicting a loss of five killed, several wounded, and nine captured. Expecting that Brown would speedily be supported by Colonel Campbell, the Americans withdrew; maintaining, however, a close watch upon the enemy. Rallying his troops, and being reinforced by a party of royalists from South Carolina under the command of two Tory majors, and a detachment led by Major Harry Sharp, Brown determined to renew the attack. In the second engagement he and McGirth were defeated, sustaining a loss greater than that encountered two days before. Among the wounded was the noted Tory leader of the expedition. In this skirmish Captain Joshua Inman, commanding a troop of American horse, slew three of the enemy with his own hand. [1]

General Elbert, who had been ordered by General Lincoln to proceed to the upper part of Corolina, crossing the Savannah River came to the assistance of Twiggs and the Colonels Few. Together they disputed, but were not strong enough to prevent Colonel Campbell's crossing at Brier Creek. Hoping to be reinforced by Colonel Andrew Williamson from Carolina, and Colonel Elijah Clarke from Wilkes county, they retired slowly, skirmishing with Campbell's column as it advanced upon Augusta. Those officers, however, were otherwise engaged and could not respond to the expectation. Upon his appearance before the town the American forces retreated across the river and yielded Augusta without a struggle. Tarrying there but a few days, and leaving Colonel Brown in command, Colonel Campbell, early in February, marched some thirty miles in the direction of Wilkes county, and detached Lieutenant-Colonel Hamilton, with two hundred mounted infantry, to proceed to the frontiers of Georgia and there encourage such of the inhabitants as were attached to the British government. The disaffected were to be summarily disarmed. Thus, for the moment, was Georgia completely in the possession of the king's forces. Overt opposition ceased, and it was believed by Colonel Campbell that the population would permanently yield to this enforced submission. Wherever British detachments appeared, the severest penalties were meted out to those who refused to take the oath of allegiance. For the possessions of such as were absent in arms, plunder and the torch were always in store.

So soon as it was known in Wilkes county that Augusta had passed into the possession of the enemy, the inhabitants who were able to remove, hastily collecting their household effects and cattle, fled into Carolina. Those who remained betook themselves to forts, and associated together in small bands for mutual protection. Many, having lodged their wives, children, and servants in places of security, assembled under Colonel John Dooly on the Carolina shore of the Savannah River about thirty miles above Augusta. McGirth,

[1] McCall's *History of Georgia*, vol. ii, p. 191. Savannah. 1816.

with three hundred loyalists, was occupying a position on Kiokee Creek. Both parties were watching the ferries and collecting all boats found on the Savannah River. Returning to Georgia with a part of his command, Dooly was quickly pursued by Lieutenant-Colonel Hamilton, who pressed him so closely that he fired upon his rear as he recrossed the Savannah just below the mouth of Broad River.

Having driven the rebels from that portion of the State, Hamilton encamped with one hundred men on Water's plantation, three miles below Petersburg. Dooly, with like force, was just opposite in South Carolina. There he was joined by Colonel Andrew Pickens, who brought with him two hundred and fifty men of his regiment. Although the senior in rank, Colonel Dooly yielded the command in deference to the fact that Pickens had contributed more than two-thirds of the troops constituting this little army. With this united force it was resolved to attack Hamilton without delay. Accordingly, on the night of the 10th of February Pickens and Dooly crossed the Savannah at Cowen's ferry, three miles above Hamilton's encampment, and prepared to charge the enemy early the next morning. To their surprise and regret they found that the British officer, in entire ignorance of the impending danger, had departed on an excursion through the country to visit its forts and administer oaths of allegiance to such of the inhabitants as he chanced to meet. Conjecturing that Carr's Fort would be the first point visited by the enemy, Captain A. Hamilton was directed, with a guide, to proceed rapidly to that point and arrange for its defense with such men as he might find there congregated. Pickens and Dooly, moving with their command, intended to fall upon the rear of Lieutenant-Colonel Hamilton as he should be engaged in an effort to reduce the fort. Captain Hamilton arrived in season to execute the order with which he was charged, but found that there were only seven or eight aged and infirm men in Carr's Fort, who, dreading the consequences, refused to undertake the defense of that post. The Americans were so close upon the heels of the British as they entered and took possession of the fort, that they were compelled to leave their horses and baggage outside the stockade. A brisk fire was opened on both sides, but without effect. A siege was determined on; and, in order to cut the besieged off from all access to water, Captain William Freeman, with forty men of his company, in gallant style dashed through an open space exposed to the guns of the fort, and took possession of a newly constructed log house which effectually commanded the only source whence the enemy could hope to obtain a supply of water.

Early in the evening the horses and baggage of the British were brought off, and every avenue of escape was occluded. The same afternoon the fort was summoned to a surrender. While refusing to accede to this summons, Lieutenant-Colonel Hamilton requested that the women and children within the stockade might be allowed to depart. This application was denied. Without

food and water, it was confidently believed that the enemy could not hold out more than twenty-four hours. Moreover, the possession of the log house near the water gave the assailants command of the tops of the huts inside the fort, whence the most injurious fire proceeded. The happy anticipations of the Americans were doomed to disappointment. About ten o'clock at night Colonel Pickens received, at the hands of Captain Ottery, a dispatch from his brother, Captain Joseph Pickens, informing him that Colonel Boyd, with eight hundred loyalists, was moving through Ninety-Six district toward Georgia, destroying by fire and sword whatever lay in his path. It was deemed proper, without delay, to raise the siege and move against Boyd. A proposition was made by some volunteers to apply the torch to the fort at several points at the same time, and thus to compel quick surrender. In tender consideration of the women and children who were within, the idea was abandoned. Carrying off their wounded, the Americans departed leaving Lieutenant-Colonel Hamilton in the fort without horses or baggage. As soon as Pickens and Dooly were out of hearing, he quitted Carr's Fort, retreating upon Wrightsborough, where he occupied a small stockade for a few days and then rejoined Colonel Campbell at Augusta. In the affair at Carr's Fort the British lost nine killed and three wounded. The American casualties amounted to five killed and seven wounded.

Retiring from Carr's Fort the Americans recrossed the Savannah River near Fort Charlotte, and advanced toward the Long Cane settlement to meet Colonel Boyd. Hearing of his advance, Captain Robert Anderson, of Colonel Pickens's regiment, summoning to his aid Captains Joseph Pickens, William Baskin and John Miller with their companies, crossed the Savannah River with a view to annoying Boyd when he should attempt a passage of that stream. He was subsequently joined by some Georgians under Captain James Little. This accession increased his force so that he had, present for duty, nearly one hundred men. In order to avoid Pickens and Dooly, Colonel Boyd changed his route and approached the river at the Cherokee ford. Here, upon a commanding elevation, was a block house mounting two swivel guns and garrisoned by a lieutenant and eight men. A quiet passage having been demanded and refused, Boyd proceeded up the river about five miles and there, placing his men and baggage on rafts and swimming his horses, effected a crossing. His instructions to his men were to land at different points on the opposite shore. This circumstance, in connection with the tall canes growing along the river bank, so confused the small force under Captain Anderson that it did not render an opposition as effectual as might have been expected. That the passage of the river was sharply contested, however, will be readily conceded when we remember that the Americans lost sixteen killed and wounded, and an equal number of prisoners. Among the latter were Captains Baskin and Miller. Colonel Boyd acknowledged a loss of one hundred killed, wounded, and missing.

Retreating rapidly, Captain Anderson formed a junction with Colonels Pickens and Dooly, and united in the pursuit of the enemy. On the 12th of February, passing the Savannah River at the Cedar shoal, the Americans advanced to the Fish-Dam ford, on Broad River. The command had now been reinforced by Colonel Clarke and one hundred dragoons. Captain Neal, with a party of observation, was detached to hang upon the enemy's rear, and, by frequent couriers, keep the main body well advised of Boyd's movements.

Shaping his course to the westward, and purposing a junction with McGirth at a point agreed upon on Little River, the enemy on the morning of the 13th crossed Broad River, near the fork, at a place subsequently known as Webb's Ferry. Informed of this movement, the Americans passed over Broad River, and encamped for the night on Clarke's Creek within four miles of the loyalists. Early on the morning of the 14th, the Americans advanced rapidly but cautiously. Wherever the surface of the country permitted, their line of march was the order of battle. A strong vanguard moved one hundred and fifty paces in front. The right and left wings, consisting each of one hundred men, were commanded respectively by Colonels Dooly and Clarke. The center, numbering two hundred men, was led by Colonel Pickens Officers and men were eager for the fray, and confident of victory. Soon the ground was reached where the enemy had encamped during the preceding night.

Seemingly unconscious of the approach of danger, the loyalist commander had halted at a farm on the north side of Kettle Creek and turned out his horses to forage among the reeds which lined the edge of the swamp. His men, who had been on short allowance for three days, were slaughtering bullocks and parching corn. Colonel Boyd's second officer was Lieutenant-Colonel Moore, of North Carolina, who is said to have been deficient both in courage and military skill. The third in command, Major Spurgen, was brave and competent.

As Colonel Pickens neared the enemy, Captain McCall was ordered to reconnoiter his position, and, unperceived, to acquire the fullest possible information of the status of affairs. Having completed his observations, that officer reported the encampment formed at the edge of the farm near the creek, on an open piece of ground flanked on two sides by a cane swamp, and that the enemy was apparently in utter ignorance of any hostile approach. The Americans then advanced to the attack. As they neared the camp, the pickets fired and retreated. Hastily forming his line in rear of his encampment, and availing himself of the shelter afforded by a fence and some fallen timber, Boyd prepared to repel the assault. Colonel Pickens, commanding the American center, obliqued a little to the right to take advantage of more commanding ground. The right and left divisions were somewhat embarrassed in forcing their way through the cane, but soon came gallantly into position. Colonel Boyd defended the fence with great bravery, but was finally overpowered and driven

back upon the main body. While retreating he fell mortally wounded, pierced with three balls, two passing through his body and the third through his thigh.

The conflict now became close, warm, and general. Some of the enemy, sore pressed, fled into the swamp and passed over the creek, leaving their horses, baggage, and arms behind them.

After a contest lasting an hour the Tories retreated through the swamp. Observing a rising ground on the other side of the creek and in the rear of the enemy's right on which he thought the loyalists would attempt to form, Colonel Clarke, ordering the left wing to follow him, prepared to cross the stream. At this moment his horse was killed under him. Mounting another, he followed a path which led to a ford and soon gained the side of the hill just in time to attack Major Spurgen who was endeavoring to form his command upon it. He was then accompanied by not more than a fourth of his division, there having been some mistake in extending the order. The firing, however, soon attracted the attention of the rest of his men who rushed to his support. Colonels Pickens and Dooly also pressed through the swamp, and the battle was renewed with much vigor on the other side of the creek. Bloody and obstinate was the conflict. For some time the issue seemed doubtful. At length the Americans obtained complete possession of the hill; and the enemy, routed at all points, fled from the scene of action leaving seventy of their number dead upon the field, and seventy-five wounded and captured. On the part of the Americans, nine were slain and twenty-three wounded. To Colonel Clarke great praise is due for his foresight and activity in comprehending and checking, at its earliest stage, the movement of the loyalists beyond the swamp. Had they succeeded in effecting a permanent lodgment upon the hill, the fortunes of the day would have proved far otherwise. This engagement lasted for one hour and forty-five minutes, and during most of that time was hotly contested.

As the guard having charge of the prisoners captured when Boyd crossed the Savannah River heard of the disaster which had overtaken the main body, they voluntarily surrendered themselves, thirty-three in number, to those whom they held in captivity, promising, if allowed to return in peace to their homes, to take the oath of allegiance to the confederated States.

The battle ended, Colonel Pickens waited upon Colonel Boyd and tendered him every relief in his power. Thanking him for his civility, the loyalist chief, disabled by mortal wounds and yet brave of heart, inquired particularly with regard to the result of the engagement. When told that the victory rested entirely with the Americans, he asserted that the issue would have been different had he not fallen. During the conversation which ensued, he stated that he had set out upon this march with eight hundred men. In crossing the Savannah River he sustained a loss of one hundred in killed, wounded, and missing. In the present action he had seven hundred men under his com-

mand. His expectation was that McGirth, with five hundred men, would form a junction with him on Little River either that very afternoon or on the ensuing morning. The point named for this union of forces was not more than six miles distant from the place where this battle had been fought. Alluding to his own condition, he remarked that he had but a few hours to live, and requested Colonel Pickens to detail two men to furnish him with water, and to inter his body after death. Delivering to that officer certain articles of value which he had upon his person, he asked the favor that they be forwarded to his wife with a letter acquainting her with the circumstances of his demise and burial. These dying injunctions were carefully observed. He was a corpse before morning.

Dispirited by the loss of their leader, and stunned by the heavy blow which had fallen upon them in an unexpected moment, the followers of this dangerous chieftain scattered in various directions. Some fled to Florida; others betook themselves to the Creek nation; others still sought refuge among the Cherokees; others returned to their homes and craved mercy at the hands of the patriots; while a remnant, under the command of Colonel Moore, numbering some two hundred, retreated to Augusta.

Dismayed at the defeat which had overtaken Colonel Boyd, and pausing not to retrieve the fortunes of the day, McGirth fled precipitately to Augusta and rejoined the forces under Colonel Campbell. The prisoners captured at Kettle Creek were carried to South Carolina, tried, found guilty of treason, and sentenced to death. Only five of the most noted offenders were executed. The others were pardoned. Departing from the field of action, the Americans encamped for the night in a locality near the present town of Washington, and, on the 15th, recrossed the Savannah River. In the affair at Carr's Fort, and in the engagement at Kettle Creek, the Americans possessed themselves of some six hundred horses and a large quantity of arms, equipments, and clothing. This accession to the scanty stores of the patriots was most opportune and valuable. In the general gloom which was encompassing all, this victory shone like a star of substantial hope, dissipating despair, and enkindling confidence in the hearts of the Revolutionists. From the banks of this insignificant stream, rendered historic by the prowess of Pickens, Dooly, Clarke and their valiant followers, there arose a martial shout which proclaimed the restoration of Whig ascendency in Upper Georgia and the discomfiture of the royalist cohorts. With no uncertain sound did the bugle-blasts, then blown, summon to further feats of patriotic emprise and admonish the king's officers that Georgia was not wholly within their grasp.

This battle was quickly followed by movements which, although partial in their character, indicated that the love of liberty and the spirit of resistance were abroad in the land. Advancing with a portion of his brigade and some of the Georgia militia, General Andrew Williamson encamped not far from

Augusta, on the Carolina side of the Savannah River. Colonel Leonard Marbury, with fifty dragoons and a body of militiamen, took post near Brownsborough. Colonel John Twiggs, having assembled the militia of Richmond county and passed in rear of the British occupying Augusta, surprised one of their outposts at Herbert's, where seventy men were stationed. In the assault several of the assailed were killed and wounded, and the rest forced to an unconditional surrender.

A reconnoitering party of twenty of the King's Rangers, under the command of Captain Whitley and Lieutenants McKenzie and Hall, was sent to Brownsborough to ascertain if there was an American force assembling in that quarter. Through his scouts obtaining information of Whitley's position and force, Colonel Marbury detached Captain Cooper with twelve dragoons to gain the enemy's rear, while he advanced in front. So rapidly did Cooper execute this order that he surprised Whitley and his party at dinner, and captured the whole of them before Colonel Marbury came up. Hall, who was a native of South Carolina, had formerly been in the American service. While in command of a small fort on the frontier of that State, he treacherously surrendered it to the Cherokee Indians, and permitted, without remonstrance, every man, woman and child within its walls to be butchered by the savages. He was now sent to the jail at Ninety-Six for safe keeping. In due season he was tried, found guilty of treason, and condemned to be hung. The death penalty was visited upon him on the 17th of April. He miserably perished, confessing his crimes and acknowledging the justice of his sentence.[1]

In the disturbed state of affairs, instances of personal daring and hairbreadth escapes were not infrequent. Desirous of acquiring a definite knowledge of the force and position of the enemy in Augusta, General Elbert sent Lieutenant Hawkins to obtain the necessary information. While nearing an outpost, he was overtaken at Bear Swamp by three Tories. To avoid them was impossible. Advancing resolutely towards them, he inquired who they were, and whither they were going. The answer was that they were on their way to join Colonel Daniel McGirth. Hawkins, who was wearing an old British uniform, responded that he was McGirth; that he believed they were rebels, and that he should proceed to hand them over to his party, near at hand. They protested to the contrary; and, to demonstrate the truth of their assertion, at Hawkins's suggestion, placed their rifles upon the ground and held up their right hands. As they did this, Lieutenant Hawkins advanced upon them with pistols cocked and presented. Taking up their rifles, he ordered them to march in front of him, threatening to shoot the first who attempted to turn. In this manner did he conduct them to the American camp.[2]

The Tories in Upper Georgia having been completely routed, and the

[1] See McCall's *History of Georgia*, vol. ii. pp. 194,–205. Savannah. 1816.
[2] See Stevens's *History of Georgia*, vol. ii. p. 193. Philadelphia. 1859.

Americans daily becoming more formidable in numbers and pronounced in their demonstrations, Colonel Campbell determined to evacuate his advanced position at Augusta. Accordingly, late in February, he commenced his retreat, which did not terminate until he reached Hudson's ferry on the Savannah River, where Lieutenant-Colonel Prevost had constructed a fortified camp and mounted some field artillery. In the end, so suddenly did he quit Augusta, that he paused not to destroy a considerable quantity of provisions which he had there accumulated. During this retrograde movement he was much annoyed by the Americans, who, in small bodies, harassed his command in flank and rear.

CHAPTER VIII.

Affair near Fulsom's Fort — Augusta Designated as the Seat of Government — An Oligarchical Form of Government Inaugurated — Political History of the Period — Communication to General Lincoln — Governor Wright's Report on the Situation.

GENERAL Benjamin Lincoln's plans for the relief of Georgia were twice thwarted, once by the surprise and defeat of General Ash, in the angle formed by the confluence of Brier Creek and the Savannah River, by Colonel Campbell, and a second time by General Prevost's demonstration against Charles-Town. Upon his retreat from Augusta Colonel Campbell had been pursued by General Ash as far as Brier Creek. Finding that he could not overtake the enemy, that officer halted and formed a camp most injudiciously located and carelessly guarded, from which, by a rapid counter-blow from his capable antagonist, he was driven in confusion and with great loss.

Encouraged by the signal defeat of Boyd at Kettle Creek, and the subsequent evacuation of Augusta by the king's forces, the Georgians, who had fled from the region to South Carolina for security, returned with their families and personal property and reoccupied their small forts and plantations. Scarcely had they done so when they were alarmed by the approach of a body of Creek Indians, led by Tate and McGillivray, Indian agents in the employ of the British. Colonel Pickens, with two hundred men of his regiment, quickly came to the assistance of the Georgians. Colonel Dooly was already in the field with one hundred mounted men, while Colonel Elijah Clarke, with his command, guarded the frontier. Every male inhabitant of sixteen years and upwards appeared with arms in his hands. At Wrightsborough Colonels Pickens and Dooly were reinforced by detachments from the regiments of Colonels Few and Leroy Hammond, and by two troops of horse under Major Ross. The Indians were encamped near Fulsom's fort. Approaching under cover of the night, Lieuten-

ants Alexander and Williamson, who had been detailed for the purpose, made a reconnoissance which led them to estimate the force of the enemy at eight hundred. Upon receiving their report Colonel Pickens, to whom the command was confided, marched his column rapidly forward in the hope of reaching the Indian camp and surprising it before daylight. Some treacherous rascal advised the enemy of his approach. Unwilling to breast the attack, the Indians, breaking up into small parties, fled in every direction. In the pursuit which ensued, some of the savages were overtaken and slain. Major Ross, Captain Newsom and Lieutenant Bentley were killed. Quiet was restored, and the enemy was utterly expelled from the territory.

Upon the capture of Savannah, in December, 1778, by Lieutenant-Colonel Campbell, the executive council designated Augusta as the seat of government. So rapidly, however, did that officer push his column up the Savannah River, and so quickly did he occupy Augusta with his troops, that until his evacuation of that place, late in February, 1779, it existed but in name as the capital of Georgia. During this period the republican government of the State was peripatetic. In such a condition was it frequently found during the continuance of the Revolutionary struggle. The public records had been sent out of the State for safe keeping. Until the close of the contest the proceedings of the executive council consisted of little more than insignificant orders and letters, a meager journal of its convocations, hasty deliberations and adjournments, and a scant memorandum of its principal acts touching the general safety. The treasury was empty. There was not even an attempt made to levy and collect taxes. Paper bills of credit, issued upon the faith of the State, had depreciated in value to such an extent that they possessed scarcely any purchasing power. All sorts of shifts were resorted to in order that the troops in the field might be supplied with food and clothing. Of payment in money for military services rendered there was often none, especially in the case of the militia. The currency employed in paying off troops enlisted in the Continental service was almost as valueless as were the promises to pay circulated by the State. Not infrequently the confiscated property of royalists was utilized in discharging the obligations incurred in the purchase of necessaries for the soldiers in the field.[1] Simple in the extreme was the machinery of government. The affairs

[1] In illustration of this, let the following suffice:

"IN COUNCIL, April 30, 1782.

"*Captain Harris:*

"SIR: As you are appointed Agent for the County of Richmond to collect all sequestered property, you will please immediately to take in your possession two negro wenches, the property of Curtis Colwell, in possession of Greenbury Lee and Simon Beckum, and two negroes, a Boy and a Girl, in possession of Wm. Few, Sr., the property of Simon Nichols, deceased.

"You will please, after taken the above in possession, to deliver the said Negroes to Captn Ignatius Few, they being appraised by Mr. Simon Beckum; the State having purchased some necessarys from Captn Few, the said Negroes are to be received in payment for the articles purchased. STEPHEN HEARD, Pres. Col."

of State were administered by a Council of Safety, who did the best they could in the disjointed and impoverished condition of the country. Legislative convocations and enactments were suspended, and the courts were closed. *Silent leges inter arma.*

When Augusta again passed into the hands of the republicans the members of council convened there, at the residence of Matthew Hobson, to select a president and transact such business demanded by the emergency as lay within their power. They represented the State, and for the time being all legislative and executive functions were exercised by them. Matters wore on in this way until the time designated for the meeting of the General Assembly arrived. So disturbed was the condition of the commonwealth, and so thoroughly occupied by British troops were the lower counties, that only twenty-five members convened in Augusta in July, 1779. Too few to organize and conduct governmental affairs in accordance with the provisions of the constitution, and yet impressed with the necessity of devising some plan and providing some machinery by which the integrity of the State might be conserved and the administration of its business facilitated, on the 24th of July they assented to and promulgated the following document, by which an oligarchical form of government was practically inaugurated:

"STATE OF GEORGIA, RICHMOND COUNTY.

"Whereas, from the invasion of the British forces in this State, great evils have arisen and still exist to disturb the civil government of the said State, and which, in a great measure, have prevented the constitution of the land from being carried into such full effect as to answer the purposes of government therein pointed out: And whereas, it becomes incumbent and indispensably necessary at this juncture to adopt such temporary mode as may be most conducive to the welfare, happiness, and security of the rights and privileges of the good people of the said State, and the maintenance and existence of legal and effective authority in the same as far as the exigence of affairs requires, until a time of less disquiet shall happen and the constitution take its regular course; to the end, therefore, that goverment may prevail and be acknowledged; to prevent, as far as may be, anarchy and confusion from continuing among us, and fully to support the laws of the land derived under the constitution thereof: We, therefore, the representatives of the people of the counties of Wilkes, Richmond, Burke, Effingham, Chatham, Liberty, Glynn, Camden, and other freemen of the State, having convened and met in the county of Richmond, in the State aforesaid, for the purposes of considering the present disturbed situation of the State, and for applying, as far as is in our power, some remedy thereto, and having maturely and seriously considered the same, do recommend that the following persons be appointed by the good people of this State to exercise the supreme authority thereof, who shall, before they enter on the execution of their office, take the following oath, viz.: I, A. B., elected one of the supreme

executive council of the State of Georgia, do solemnly swear that I will, during the term of my appointment, to the best of my skill and judgment, execute the said office faithfully and conscientiously, without favor, affection or partiality; that I will, to the utmost of my power, support, maintain, and defend the State of Georgia, and use my utmost endeavors to support the people thereof in the secure enjoyment of their just rights and privileges; and that I will, to the best of my judgment, execute justice and mercy in all judgments; so help me God.

"And we, and each of us, on our parts, as free citizens of the State of Georgia aforesaid, do for ourselves nominate, authorize, empower and require you, John Wereat, Joseph Clay, Joseph Habersham, Humphrey Wells, William Few, John Dooly, Seth John Cuthbert, William Gibbons, sr., and Myrick Davies, esqs., or a majority of you, to act as the executive or supreme council of this State; and to execute from Tuesday, the 27th inst., to the first Tuesday in January next, unless sooner revoked by a majority of the freemen of this State, every such power as you, the said John Wereat, Joseph Clay, Joseph Habersham, Humphrey Wells, William Few, John Dooly, Seth John Cuthbert, William Gibbons, sr., and Myrick Davies, esqs., or a majority of you, shall deem necessary for the safety and defense of the State and the good citizens thereof; taking care in all your proceedings to keep as near the spirit and meaning of the constitution of the said State as may be.

"And you, the said John Wereat, Joseph Clay, Joseph Habersham, Humphrey Wells, William Few, John Dooly, Seth John Cuthbert, William Gibbons, sr., and Myrick Davies, esqs., or a majority of you, hereby have full power and authority, and are authorized, empowered and required to elect fit and discrete persons to represent this State in Congress, and to instruct the delegates so chosen in such matters and things as will tend to the interest of this State in particular, and the United States of America in general: the said delegates taking care from time to time, to transmit to you, the said council, or other authority of the State for the time being, an account of their proceedings in Congress aforesaid: to regulate the public treasury of the said State, to borrow or otherwise negotiate loans for the public safety: to regulate the militia, and appoint an officer, if necessary, to command: to appoint, suspend, and discharge all civil officers if it shall be found expedient: to demand an account of all expenditures of the public money, and to regulate the same, and, where necessary, order payments of money: to adopt some mode respecting the current money of this State, and for sinking the same: to direct and commission the chief justice of the State, or assistant justices, or other justices of the peace, and other officers of each county: to convene courts for the trial of offences cognizable by the laws of the land in such place or places as you shall think fit: always taking care that trial by jury be preserved inviolate, and that the proceedings had before such courts be in a summary way so that offenders be brought to a speedy trial and justice be amply done as well to the State as to the individuals.

"You, or a majority of you, the said council, have full power and hereby are requested, on conviction of offenders, to order punishment to be inflicted extending to death: and when objects deserving mercy shall be made known to you, to extend that mercy and pardon the offense, remit all fines, mitigate corporal punishments, as the case may be, and as to you or a majority of you shall seem fit and necessary. And you, the said council or a majority of you, at all times and places when and where you shall think fit, have hereby full power and competent authority to meet, appoint your own president, settle your own rules, sit, consult, deliberate, advise, direct, and carry in execution all and every act, special and general, hereby delegated to you, and all and every such other acts, measures, and things as you or a majority of you shall find expedient and necessary for the welfare, safety, and happiness of the freemen of this State.

"And in case any of the persons herein appointed to exercise the supreme authority as aforesaid shall refuse to act, die, or depart this State, or shall by any other means be prevented from exercising the same, then, and in such case, you, the said council hereby chosen, or a majority of you, shall, and you are hereby authorized, empowered, and required to fill up such vacancies by choosing fit and discrete persons or person to act in their or his room and stead, which person or persons so chosen is or are hereby invested with every power and authority in as full and ample a manner as if they had been appointed by this present instrument of writing.

"And we do hereby declare all officers, civil and military, and all persons, inhabitants of this State, subject to and answerable to your authority, and will ratify and confirm whatever you may do for or concerning the public weal, according to the best of your judgment, knowledge, and ability. And further, we do hereby promise you our support, proteetion, and countenance.

"In witness whereof we have hereunto set our hands this 24th day of July, in the year of our Lord 1779."

This supreme executive council organized temporarily the same day by the choice of Seth John Cuthbert as president *pro tempore;* and, on the 6th of August, perfected a permanent organization by unanimously electing John Wereat president. All the members then took the oath of office prescribed, and entered upon the discharge of their important duties. The entire transaction was abnormal. The choice lay between anarchy and this modified form of government. Regular assemblages of the Legislature were, for the time being, impracticable. It was equally out of the question to evoke an expression of the popular will, or to expect a general observance of the provisions of the constitution. To the republicans only a fraction of the State remained. Blood, turmoil, disquietude and antagonisms were everywhere. The preservation of at least the semblance of sovereignty was vital to the cause of the patriots. Under the circumstances the delegates doubtless acted for the best;

and, although in this matter they exceeded their powers and proceeded without constitutional warrant, their action grew out of a condition of affairs most peculiar, and was intended to meet an emergency beyond the ordinary contemplation of law. In their selection of members of this supreme executive council it does not appear either that their judgment was at fault or that their confidence was misplaced. Nor did the erection of this temporory government fail to secure the endorsement of the patriots of Georgia. It was a war measure. By this oligarchy was Georgia ruled for many months, and during the entire period there is not even a suggestion that those to whom were committed powers so comprehensive were ever guilty of peculation, injustice, infidelity, or despotism. Their official conduct was a tribute at once to the individual worth of each member of the provisional government, and to the purity, the patriotism, the honor, and the virtue of the epoch. Brigadier-General Lachlan McIntosh was now again in Georgia and in command of the forces concentrated for the protection of the upper portions of the State. His return was sanctioned by Congress in accordance with his earnest desire, approved by General Washington, who, on the 11th of May, 1779, addressed the following communication to that august body:

"Brigadier-General McIntosh will have the honor of delivering you this. The war in Georgia—being the State to which he belongs—makes him desirous of serving in the Southern army. I know not whether the arrangements Congress have in contemplation may make it convenient to employ him there, but I take the liberty to recommend him as a gentleman whose knowledge of service and of the country promises to make him useful. I beg leave to add that General McIntosh's conduct, while he acted immediately under my observation, was such as to acquire my esteem and confidence, and I have had no reason since to alter my good opinion of him." [1]

Second in command to General Lincoln, he was at all times most earnest in devising means for the improvement of the military condition of Georgia and in concerting plans for restraining the British forces within the narrowest limits. With the supreme council of safety he conferred frequently and most freely. The liberation of Georgia from kingly rule lay nearest the hearts of all.

As indicating the intelligent observation of the members of this supreme executive council, and their anxiety to facilitate the redemption of the State, we submit this extract from a communication addressed by them to General Lincoln on the 18th of August, 1779: "A considerable part of the State having been in the immediate possession of the enemy ever since its invasion by them, those counties which have held out against them have been constantly subject to their incursions and depredations, and, of course, the few militia thereof, much harassed with duty; but their spirits have been kept up with the idea of support from the continent and our sister State, otherwise, we

[1] *The National Portrait Gallery*, etc., vol. iii. Philadelphia. 1836.

apprehend, a total evacuation would long since have taken place by those who have firmness enough to sacrifice everything to the cause of America, whilst the wavering would have joined the enemy and assisted them in their operations against Carolina.

"The arrival of the advance of General Scott's army, under Colonel Parker and Major Jamison, at a very critical juncture, has had the most salutary effect that could be expected, for it has infused new spirit into the militia, who are now all cheerfully under arms to oppose the concerted invasions of the enemy's irregulars and Indians who are at this time making different inroads upon us. General McIntosh has sent out a part of the Continental troops to support our militia, and we hope that for the present we shall be able to repel the enemy and to keep them from reaping any considerable advantages from the the attempts of small parties. But we presume, sir, that we need not endeavor to impress your mind with an idea of the feeble resistance we should be able to make to any serious attempt of the enemy to subjugate the upper parts of the State even with the assistance that General McIntosh can at this time afford us.

"We believe that it is generally allowed that unless the enemy are considerably reinforced, they will not make another attempt upon Charlestown; and from a variety of circumstances we are led to hope that they will not receive such reinforcement. Should this be the case, there can scarce remain a doubt but that they will aim at a total subjugation of Georgia this fall; for we cannot in reason suppose that they will keep a considerable body of troops immured in Savannah, whilst the back country, so necessary to their quiet subsistence as well as their future designs, remains unconquered. The large quantities of grain made in the vicinity of this place, and the numerous herds of cattle through all the upper parts of the country must be very considerable objects with them, particularly as we know that they cannot even now get sufficient supplies of cattle without coming upwards and then fighting for them. The frequent skirmishes of our militia with their irregulars, who are employed as drovers, evince the truth of this observation; and should they gain the upper parts of this State, we are bold to assert that Carolina would be in a very dangerous situation. The great defection of the upper parts of that country is well known; a circumstance on which the enemy found the most sanguine hopes, and we have every reason to believe that they continually receive encouragement from these people to invade the back country. Nor could the enemy wish for a more favorable situation to be joined by them than that by Augusta, or anywhere above it, where the river is shallow and the swamps all passable.

"Add to the circumstances already mentioned, which might induce the enemy to progress upwards in force, that of having no obstruction to their intercourse with the Indians, which is a very capital one, and which will im-

mediately be the case should they effect an entire conquest of this country; and unless they should do this, their intercourse will be very precarious and uncertain, and we shall always have it in our power to give the most considerable interruption to it. We think this point worth paying the most particular attention to, as we are now informed that Indian goods are now imported at Savannah, and that the Creek Indians have had no late supply from the Floridas. Should the trade from this country with the Indians be once open and uninterrupted, the enemy will find not the least difficulty, whenever they have a mind, in bringing the savages from the frontiers of Carolina.

"Besides our apprehensions on the above heads, we are fearful that in case the British troops should move up this way, the greatest part of the inhabitants, worn out with fruitless opposition, and actuated by the fear of losing their all, would make terms for themselves; and as the human mind is too apt to be led by a natural gradation from one step of infamy to another, we have not the least doubt of their joining the enemy against their countrymen in any other State. But even should the British commander not bend his force this way, a great many families, harassed and unsupported, would remove far northwardly (for which they are already thinking of preparing), and this dangerous migration nothing but the appearance of support can prevent.

"With minds forcibly impressed by the operation of such powerful reasons, we beg leave to solicit you, sir, in the most serious manner, to order General Scott, who, we understand, is on his march southwardly with the rest of his troops, immediately to this place. [1]

"We cannot think that the lower parts of Carolina will be endangered by such an order; for we may reasonably presume that the enemy will never penetrate far into that part of the country while a respectable force remains in their rear, which would be the case if General Scott and his troops were in Georgia."

The governor of South Carolina was also memorialized to assist with men and money in the effort to retain the possession of Upper Georgia and prevent the English from accomplishing the entire subjugation of the State. These and similar appeals were not in vain, and it may not be denied that the representations and efforts of the supreme executive council of Georgia had much to do with bringing about the co-operation between the French army under Count d'Estaing and the American forces under Lincoln for the recovery of Savannah in the fall of 1779.

When, in March, 1776, Sir James Wright fled from Savannah and took refuge on board his majesty's ship *Scarborough*, at Tybee Roads, fear fell upon all the king's servants holding office in Georgia, and one by one, as opportunity occurred, they quitted the province. A few of them espoused the cause of the Revolutionists, but most of them departed for London. Some sought

[1] Augusta.

refuge in St. Augustine.[1] From that time until the capture of Savannah in December, 1778, there was not even the semblance of royal government in Georgia. Upon the reduction of the capital of the State and the expulsion of the republicans from southern Georgia a strictly military government was at first erected, and this was followed by the establishment of a civil administration under Lieutenant-Colonel Provost, who held an appointment from the king's commissioners as lieutenant-governor of Georgia. He was supplanted by Sir James Wright, who, reaching Savannah on the 14th of July, 1779, resumed the gubernatorial office six days afterwards.[2] Such was the unsatisfactory condition of affairs that he felt constrained to delay issuing writs of election. The old officers returned slowly, and the governor, until after the repulse of the allied army before the fortifications around Savannah, could claim to be little more than a *locum tenens*. He found "several of the leading Rebels very busy in keeping up the expiring flame of rebellion," and was persuaded that there were yet many in Georgia "who, if they had an opportunity, would adhere to the independent scheme."

On the 9th of August he says to Lord George Germain: "The more I am able to see into the true state of affairs here, the more I am convinced of the wretched situation this Province is in, and how nearly it was being totally lost while the army was carrying on their operations in South Carolina; and now, my Lord, the Rebels who went from hence into Carolina on the arrival of Colonel Campbell, with other Rebels of Carolina and this Province, are possessed of the country at and about Augusta, and all above it, and I have the honor to inclose your Lordship the information I received from three back country people by which it appears that almost the whole settlements down to Briar Creek are broke up, or the inhabitants skulking about to avoid the Rebel partys, and that the Rebels have collected upwards of six hundred men and are going to establish a post with them somewhere in St. George's Parish. I doubt not, my Lord, however, but this Province will soon raise its head and become more populous and opulent than ever. I have ordered an exact return of the whole Militia, but have not yet received it, although, from the best information I have been able to come at, I really believe they will not exceed four hundred men in the whole Province; and probably three hundred would not appear under arms."

With regard to the Indians he adds, "I am sorry to say that after the immense expense to government on account of the Indians, they do not seem to me to be so hearty in the cause and so warmly attached as I expected."

Thus, during the lull which preceded the gathering storm, the thunders of

[1] See *A List of the Officers of his Majesty's Province of Georgia, and their present places of residence* [February, 1779]. P. R. O., Am. & W. Ind., vol. CCXXXVII.

[2] See *Letter of Sir James Wright to Lord George Germain*, dated Savannah, July 31, 1779. P. R. O. Am. & W. Ind., vol. CCXXXVI.

which were soon to shake the foundations of the city of Oglethorpe, Governor Wright at Savannah, supported by the king's army, was striving to recreate the royal government and to lead back the inhabitants of southern Georgia to a complete and orderly submission to British rule. While at Augusta the members of the supreme executive council, invested with unlimited powers, yet sadly deficient in all material appliances, were endeavoring to perpetuate the sovereignty of a republican State just born into the sisterhood of nations, and to arm, feed, and clothe a patriot band, few in numbers yet brave of heart, fighting for home and property and liberty, the odds were seemingly all in favor of his majesty King George III. In this conflict between a Republican oligarchy and an English monarchy it did really appear that there was little hope for the ultimate independence of the bleeding, impoverished, and distracted commonwealth.

CHAPTER IX.

Posture of Affairs in the Fall of 1779—Legislation of the Commons House of Assembly—Proclamation of Governor Wereat, Governor Walton, General McIntosh and Mr. Glascock—Political Affairs—Movements of the Executive Council—Unseemly Dissentions—Reorganization of the State Government at Augusta.

THE bloody repulse of the allied army before the lines around Savannah on the memorable morning of October 9, 1779, was a grievous disappointment to the Georgia patriots. They had confidently anticipated the capture of the town and a complete restoration of Republican rule. In a few short hours everything was changed from joyous expectation to the deepest gloom of helpless despair. After the departure of Count D'Estaing and the retreat of General Lincoln the condition of Savannah and the sea coast of Georgia became more pitiable than at any former period. Exasperated by the formidable demonstration which, at the outset, seriously threatened the overthrow of British dominion in Georgia, and rendered more arrogant and exacting, the loyalists set out in every direction upon missions of insult, pillage, and inhumanity. Plundering banditti roved about unrestrained, seizing negroes, stock, furniture, wearing apparel, plate, jewels, and anything they coveted. Children were severely beaten to compel a revelation of the places where their parents had concealed, or were supposed to have hidden valuable personal effects and money. Confiscation of property and incarceration or expatriation were the only alternatives presented to those who clave to the cause of the Revolutionists. So poor were many of the inhabitants that they could not command the means requisite to venture upon a removal. Even under such circumstances not a few, on foot, sought an asylum in South Carolina. Among the

principal sufferers may be mentioned the families of General McIntosh, Colonel John Twiggs, and Colonel Elijah Clarke. Georgia was under the yoke; and she was forced to pay the penalty of unsuccessful rebellion, rendered tenfold more grievous because of this recent formidable attempt to expel from her borders the civil and military servants of the king. The ribald language and licentious conduct of the soldiery, coupled with the insults of lawless negroes, rendered a residence in Savannah by all not in sympathy with the crown, and especially by the weaker sex, almost beyond endurance. Far and near the region had experienced the desolations of war. "The rage between Whig and Tory ran so high," says General Moultrie, "that what was called a Georgia parole, and to be shot down, were synonymous." So stringent, too, were the restrictions upon trade, such was the depreciation of the paper currency, and so sadly interrupted were all agricultural and commercial adventures, that poverty and distress were the common heritage. At this time sixteen hundred and eighteen dollars, paper money, were the equivalent of one dollar in gold.[1] For active participation in the disastrous siege of Savannah, Count Pulaski who, with his legion, after General Prevost's retreat from South Carolina, had taken post on a ridge some fifty miles northeast of Augusta that he might the more readily obtain provisions for, and restore the health of his command, and at the same time be within supporting distance of either Charles Town or Savannah as occasion required, was ordered to join General McIntosh at the latter place. Together they moved thence upon Savannah in advance of the army under General Lincoln approaching from the direction of Charles Town, attacked and carried the British outposts, and established communication with the French troops on the coast.

Upper Georgia alone remained in the possession of the Revolutionists. In the Commons House of Assembly, composed of members chosen under writs of election issued by Governor Wright and his council, and made returnable on May 5, 1780, there were no delegates from the parish of St. Paul.

By this Assembly acts were passed compelling all persons dwelling in and near Savannah and Augusta forthwith to render an account of all male slaves owned by them between the ages of sixteen and sixty, and to send such of them as might be deemed necessary, with suitable tools, to work upon and complete the fortifications of those towns.

Such male inhabitants as did not own slaves were required to labor themselves, or to act as overseers in the construction of the contemplated defensive works.

Parties were invested with authority to impress horses, carts, and teams for service upon the public defenses.

[1] "We talked of millions," remarks General Moultrie, "and in fact it was next to nothing. There was one conveniency in it, which was that a couple of men on horseback, with their bags, could convey a million of dollars from one end of the continent to the other in a little time with great facility." *Memoirs of the American Revolution*, vol. ii. p. 35. New York, 1802.

There was a revision of the militia laws, rendering them more stringent in their provisions and more certain in their operation. An inquiry was ordered into the expediency of organizing a corps of negro slaves and the propriety of incorporating it into the militia of the Province.

All attempts at royal legislation in Georgia during this stormy period were spasmodic, partial, feeble, and in the main futile. The hold of his Majesty's servants upon the Province was sensibly relaxed. More and more circumscribed grew the limits of royal dominion until they were finally obliterated upon the evacuation of Savannah in 1782. The hope of returning Georgia to her allegiance to the Crown, inspired by the capture of Savannah in December, 1778, and revived by the defeat of the allied armies in October, 1779, was always fluctuating. Although the governor retained his seat and exercised some of the functions of his office, his letters show that he was always oppressed by a sense of insecurity. Time and again did the republican forces, under partisan leaders, approach so closely that it was deemed dangerous for the king's servants to venture beyond the lines which environed Savannah. Now and then came a loyal address from the province assuring his majesty that his sorely tried, yet faithful office holders, would "use their utmost endeavors to promote an attachment to his person and government and the welfare of the British Empire;" that they "would not fail to put up their prayers to Almighty God that He would pour down His Blessings upon his Majesty, his Royal Consort, and his numerous offspring, and that He would give him a long and happy reign and that his posterity might sway the sceptre of the British Empire till time should be no more."

And this would be quickly followed by a pitiable representation of the defenseless condition of the province, and by an application for a force of five hundred mounted men with which to scour the country and repel the rebel cavalry who were plundering the governor's plantations on the Ogeechee, and thundering at the very gates of Savannah.

So divided was Georgia that the difficulty experienced by Sir James Wright in securing the attendance of members sufficient to form a Commons House of Assembly under the royal government, was also encountered by the members of the Republican Executive Council in their efforts to convene a legislature and elect a governor. Since his elevation to the office of president, on the 6th of August, 1779, John Wereat,[1] in association with the Council, had been discharging the executive functions of government. On the 4th of November in that year he issued the following proclamation:

"AUGUSTA, IN THE STATE OF GEORGIA, November 4, 1779.

"Whereas, from the invasion of the State by the enemy, in December last,

[1] President Wereat was an active patriot, generous in his sympathies and sound in his financial views. He rendered important services to Georgia and her impoverished inhabitants. In January, 1788, he was president of the convention which, at Augusta, ratified the Federal Constitution. Ten years afterwards his useful career was peacefully ended in Bryan County.

the absence of many of the members elected to represent the different counties in the House of Representatives for the present year, with unavoidable causes, several ineffectual attempts have been made to convene a Legal House of Representatives; and whereas, it is essential to the welfare and happiness of the State that a Legal and Constitutional House of Assembly should be convened: We, therefore, earnestly recommend to such of the citizens of this State as have preserved their fidelity to the cause of America, and were inhabitants of the counties of Chatham, Liberty, Glynn, Camden, and Effingham prior to the reduction of these counties by the British forces, to repair to such place within this State as to them shall appear most safe and convenient, on the first Tuesday in December next, that being the day appointed by the constitution for a general election throughout the State, in order to elect persons to represent those counties in the General Assembly for the ensuing year, that a full, free, and equal representation may be had to proceed on business of the utmost importance to the community; and it is the opinion of this Board, that this town would be the most eligible, in the present situation of affairs, for the meeting of the Assembly, which will be the first Tuesday in January next, agreeably to the Constitution of the State.

"By order of the Board. JOHN WEREAT, *President.*"

Upon the departure of the French and American armies from the lines before Savannah, many of the leading citizens removed from Southeastern Georgia and sought refuge in the vicinity of Augusta. Influenced by the persuasions of George Walton, who, released from captivity, was again at home, of Richard Howley, George Wells, and of others opposed to the executive council, these refugees, in association with the citizens of Richmond County, resolved themselves into a deliberative body claiming to be the General Assembly of Georgia. William Glascock, esq., was chosen speaker, and George Walton was elected governor of the State. It was openly charged, but without warrant, that some of the members of council sympathized with the Tories, and that all the proceedings of that body were "illegal, unconstitutional, and dangerous to the liberties of the State." This self-styled assembly, which convened at Augusta in November, 1779, also chose George Walton as a delegate to congress, and selected an executive council. Thus, at the same time were two executive councils actually organized and claiming to exercise important functions within the limits of Georgia wasted by a common enemy and rent by internal feuds. Violent were the collisions of parties, and most confused was the administration of civil affairs. Fortunately there was little need for the office either of legislator or of governor.

While the enemies of the executive council, as at first constituted, were thus active in creating dissensions in the body politic and in disturbing the general sentiment at an epoch when unity, concord, and confidence were essential to the hopes and the plans of the Revolutionists, the members of that association endeavored to counteract these prejudicial influences and to restore public harmony by this open declaration of their powers: "Whereas some jealousies, natural to a people tenacious of their liberties, have arisen among

some of the citizens of this State respecting the power of this Board; and whereas it behooves the rules of a free country at all times to take every step in their power to give all reasonable satisfaction to the inhabitants thereof, and to put a stop to such jealousies and complaints as may take place; and whereas the citizens of this State above mentioned conceive, by virtue of the delegation which authorizes this Board to proceed in the executive department of government, they have power to act in the judicial and legislative departments: We do hereby declare and make known to all whom it may concern that we are not invested with any such judicial or legislative powers, and that it never was nor ever will be our intention to assume to ourselves any such powers by virtue of the above mentioned delegation, and that we mean neither to contradict nor to destroy the constitution of this State which we think must have due operation whenever a time of less disquiet will admit of its being adequate to the exigency of Government."

The self-constituted General Assembly was largely composed of malcontents, men ambitious of power and jealous of the honors accorded to others who like themselves were engaged in a lethal struggle for independence. Sad commentary upon human nature which, even amid the throes of empire and in the agonies of extreme peril, could not forget its passions or subdue its petty animosities!

It will be remembered that in consequence of the deplorable want of accord between the civil and military authorities in Georgia General Lachlan McIntosh was induced to quit his service at home and seek military employment in a distant field. He had now, however, returned; and, during the bloody assault of the 9th of October, 1779, had given fresh proof of his courage and of his devotion to State and country. During his absence he received a letter from George Walton in which he thus commented upon the unfortunate condition of affairs in Georgia: "The demon Discord yet presides in this Country, and God only knows when his reign will be at an end. I have strove so hard to do good with so poor a return, that were the liberties of America secure I would bid adieu to all public employment, to politics, and to strife; for even virtue itself will meet with enmity."

It was General McIntosh's hope that time had healed all wounds and that, without reproach, he would be permitted to devote his time and military talents to the defense of Georgia. In this he was mistaken. On the 30th of November, 1779, a letter, purporting to be signed by William Glascock, speaker of the House of Representatives, was transmitted to the president of Congress by George Walton, governor of Georgia. Congress was therein assured of the dissatisfaction of the people of Georgia at the assignment of General McIntosh to the command of the military in that State. It was earnestly suggested that the National Assembly should, while he remained in the service of the United States, indicate "some distant field for the exercise of his abilities." So thor-

oughly did this forgery, backed by the representation of General McIntosh's enemies, poison the minds of the members of that body that they voted, on the 15th of February, 1780, to "dispense with the services of Brigadier-General McIntosh until the further order of Congress."

When informed of this communication, General McIntosh demanded an explanation from its alleged author. Mr. Glascock promptly denied the authenticity of the document in the following letter, dated Augusta, Georgia, May 12, 1780, and addressed to the president of Congress:—

"SIR,—I am now to do myself the honor of addressing your Excellency on a subject of considerable importance to myself and to a gentleman whose character both as a citizen and an officer I esteem and honor. Indeed I take up the affair on a larger scale; I may say it is also of importance to this State and the whole Confederate alliance, as it strikes at the very root of reciprocal confidence, and opens a road to misrepresentation, detraction, and malice which cannot be guarded against but with the utmost circumspection, and which, if not checked, might be productive of the most serious consequences to these States either in a civil or a military sense. Brigadier General McIntosh informs me that he lately received a letter from your Excellency enclosing the following extract of a letter to Congress from me, as Speaker of the Assembly of the State of Georgia:

"'It is to be wished that we could advise Congress that the return of Brigadier-General McIntosh gave satisfaction to either the Militia or the Confederates, but the common dissatisfaction is such, and founded on weighty reasons, that it is highly necessary that Congress would, whilst that officer is in the service of the United States, direct some distant field for the exercise of his abilities.'

"I am sorry, Sir, to be informed by this extract of the extreme malice and rancour of General McIntosh's enemies; but at the same time I enjoy a peculiar happiness in having it in my power to defeat their nefarious machinations and intentions. I do hereby most solemnly declare to Congress that the above extract is a flagrant forgery, of which I disclaim all knowledge whatever either directly or indirectly. Neither did I ever subscribe in a public or private capacity any letter or paper that could convey to Congress such an idea of that Officer with respect to his Country which he has, in my opinion, served with reputation, and from which he ought to receive the grateful acknowledgments of public approbation instead of the malicious insinuations of public slander, in which class I am under the necessity of ranking the forged letter which is the subject of this.

"I am glad of the opportunity of informing Congress that so far is that forgery from truth, that I believe there is not a respectable citizen or officer in Georgia who would not be happy in serving under General McIntosh, nor one in either class who would be otherwise except a few who are governed by design or self interest."

Mr. Glascock also furnished General McIntosh with a copy of this communication.

Strange as it may appear, an examination into the matter disclosed the fact that this letter, to which the name of the speaker of the House of Assembly was forged, was suggested, dictated, and forwarded by Governor Walton and certain members of his council with a design of impairing the influence of General McIntosh and compassing his removal from the military command in Georgia. Fortunately this malevolent and nefarious scheme failed to accomplish the unlawful result at which it aimed. So far from injuring the popularity of the meritorious officer whose valuable services were called in question, it drew down upon its authors the condemnation of all fair-minded people.

Upon the conclusion of the Revolutionary War this whole affair formed a subject of review by the legislature of Georgia. On the journals of the House of Assembly the following resolutions are entered under date of January 30, 1783:[1]

"Resolved that they have examined such papers and persons as have been offered by the different parties, from which it appears that the resolves of Council, dated at Augusta, December 12th, 1779, and the letter from Governor Walton to the President of Congress, dated December 15th, 1779, respecting General McIntosh were unjust, illiberal, and a misrepresentation of facts: that the letter said to be from William Glascock, speaker of the Assembly, dated November 30th, 1779, addressed to the President of Congress, appears to be a forgery, in violation of law and truth, and highly injurious to the interest of the State, and dangerous to the rights of its citizens; and that the Attorney General be ordered to make the necessary inquiries and enter such prosecutions as may be consistent with his duty and office.

"Resolved that General McIntosh be informed that this House does entertain an abhorrence of all such injurious attempts made use of, as appears by the papers laid before them, to injure the character of an officer and citizen of this State who merits the attention of the Legislature for his early, decided, and persevering efforts in the defense of America, of which virtue this House has the highest sense."

With remarkable inconsistency, the Legislature on the day before these resolutions were adopted, had elected George Walton chief justice of the State of Georgia. If the attorney-general ever instituted any proceedings, we are not advised.

Short was Governor Walton's[2] gubernatorial career consequent upon his

[1] See McCall's *History of Georgia*, vol. ii. p. 293. Savannah, 1816.

[2] "It is an irrefragable evidence," says John Sanderson in his *Biography of the Signers to the Declaration of Independence* (vol. iii. p. 166, Philadelphia, 1823), "of the great talents of Mr. Walton and of their proper appreciation by the people of Georgia that during the remainder of his life he held, in almost uninterrupted succession, the most respectable appointments that the government could confer upon him. There are indeed few men in the United States upon

election in November, 1779. By the General Assembly Richard Howley was, on the 4th of January, 1780, elected governor, and William Glascock speaker of the House. Edward Telfair, George Walton, Benjamin Andrew, Lyman Hall, and William Few were appointed members of Congress. George Wells, Stephen Heard, John Lindsay, and Humphrey Wells were constituted members of the executive council. Of this body George Wells was chosen president. The office of chief justice was filled by the selection of William Stephens, and that of attorney-general by John Milledge. Colonel John Stark and Captain Hardy were elected treasurers. Edward Jones was made secretary of State, and Joseph Clay paymaster-general.

Composed largely of the friends of Walton and Howley, this assembly criticised severely the former council, and accused its members of "exercising powers and authorities unknown to and subversive of the constitution and laws of this State." It even went so far as to declare that "said council and the powers they exercised were illegal and unconstitutional." And yet, within a month, this assembly, which had thus pronounced null and void the action of the former council and denounced it as lawless in conception and operation, moved by the exigency of the period, and anticipating it might happen, during the progress of the war, "that the Ministers of government of this State might not be able to do or transact the business of the State within the limits of the same," unanimously resolved "that his Honor the Governor, or, in his absence, the President and Executive Council, may do and transact all and every business of government in as full, ample, and authoritative manner in any other State within the Confederation, touching and respecting of this State, as though it had been done and transacted within the limits of this State."

Informed of the arrival of large reinforcements in Savannah, the ultimate destination of which was not then well ascertained, Governor Howley issued a stirring proclamation "commanding and requiring the people to stand firm to their duty, and exert themselves in support and defense of the great and glorious independency of the United States: and also to remember with gratitude to Heaven that the Almighty Ruler of human affairs hath been pleased to raise up the spirit and might of the two greatest powers in the world [France and Spain] to join with them and oppose and destroy the persecutor of their liberties and immunities."

General Lincoln was censured by the legislature for withdrawing the continental troops from Georgia, and was pronounced "answerable for all the con-

whom more extensive and solid proofs of public confidence have been lavished. He was six times elected a representative to Congress, twice governor of the State, once a senator of the United States, and four times judge of the Superior Courts; the latter office he held during fifteen years and until the day of his death. He was one of the commissioners on the part of the United States to negotiate a treaty with the Cherokee Indians in Tennessee, and several times a member of the State legislature."

sequences which may follow that unadvised measure." The governor was instructed to concentrate half the militia of the State at Augusta, and Colonel John Twiggs, with his command and as many volunteers as he could secure, was requested to take post at that point.

Aware of the defenseless condition of this town, which "might be surprised by twenty men," and deeming it "unsafe and impolitic for the Governor and Council to remain thus exposed," the assembly designated Heard's Fort, in Wilkes County, as a suitable "place of meeting for transacting the business of the government of this State as soon after leaving Augusta as may be."

Responding to this suggestion the executive council did, on the 5th of February, adjourn to assemble at Heard's Fort, which thereupon became the temporary capital of the State. Brief was the gubernatorial term of service of Governor Howley. He left Georgia to take his seat in the Continental Congress, and the Hon. George Wells, the president of council and three members of the board were announced as fully competent for the transaction of all public business. "The value of paper money," says Captain McCall,[1] was at that time so much reduced that the governor dealt it out by the quire for a night's lodging for his party; and, if the fare was anything extraordinary, the landlord was compensated with two quires."

President Wells dying, Stephen Heard, of Wilkes County was elected, on the 18th of February, president of council. He was, during the absence of Governor Howley, governor *de facto* of republican Georgia, which, at that time, could practically claim the allegiance of only two counties,—Richmond and Wilkes. That portion of the State lying south of a line drawn from Hudson's ferry on the Savannah River to the Ogeechee River was in the possession of the British.

"Thus was Georgia reduced to the verge of political death. The government, such as it was, was administered by President Heard, and a few members of the Council in Wilkes County; and when Mr. Heard retreated to North Carolina, Myrick Davies was chosen president in his place. The condition of the Republicans in Georgia was indeed deplorable. Driven from Savannah and the seaboard, compelled to evacuate Augusta, hemmed in by hostile Indians on the frontier, and confined mostly to a few settlements in and around Wilkes County, they lived in daily peril, had almost daily skirmishes with Regulars, Tories, or Indians, were harrassed with alarms, were surprised by ambuscades, were pinched with want, and had one long bitter struggle for simple existence, with scarcely a ray of hope to light up the future."[2]

Moreover, unseemly dissensions had arisen among leading citizens, and the land was a prey alike to external and internal foes. Most difficult was it to maintain even a show of civil authority and to support a tolerable administra-

[1] *History of Georgia*, vol. ii. p. 303. Savannah. 1816.

[2] Stevens's *History of Georgia*, vol. ii. p. 331. Philadelphia. 1859.

tion of justice. Many good men went into voluntary exile, bewailing the existence of evils which they were unable either to mitigate or to remove.

At this darkest epoch, when English arms had gained the ascendency not only in Georgia but also in Carolina, when the principal towns of those States were in the possession of the enemy, and the territory on both sides of the Savannah was largely subservient to British rule, it was noised abroad that a new commission would soon issue from the Court of St. James for the purpose of again sounding the temper of America upon the subject of a pacification. It was boldly hinted that Georgia, and perhaps South Carolina, in any negotiations would not be recognized as a part of the American Union, but would be excluded on the ground that they had "been again colonized to England by new conquest." In Europe the "*uti possidetis*" was much talked of as a "probable basis for the anticipated peace." Against this doctrine and its practical application George Walton, William Few and Richard Howley, then representing Georgia in the Continental Congress, prepared and published a manly and earnest protest[1] which was not without influence. After representing in their true colors the excellences possessed by Georgia, her natural resources, and the advantages which resulted from her union with sister American States, they insisted that she was a material component part of the Confederation, and that she could not be abandoned or given up without endangering the integrity of that union. The public was reminded that all the colonies had joined in one common cause, and had sacrificed their blood and fortunes in its support. Rightly did they contend that it would be "unjust and inhuman for the other parts of the Union separately to embrace the result of the common efforts and leave them [Georgia and Carolina] under the yoke of a bankrupt and enraged tyrant." The suggestion shocked the sentiments of the allied patriots; and the doctrine of *uti possidetis*, if seriously entertained, was thoroughly eliminated from all discussions and deliberations contemplating the establishment of amicable relations between England and her revolted colonies.

On the 16th of August, 1781, Dr. Nathan Brownson was elected governor, and Edward Telfair, William Few, Dr. Noble Wimberley Jones and Samuel Stirk were appointed delegates to Congress. The skies were brightening. Augusta had been rescued from the possession of the enemy, and renewed efforts were being made for the recovery of other portions of the State.

Eight days after his induction into office, Governor Brownson, with the intention of strengthening the manhood of the State, issued a proclamation requiring all persons who considered themselves citizens of Georgia to return home within specified periods under penalty of being subjected to the payment of a treble tax to be levied upon all lands owned by them within the limits of the State. Many wanderers were thus recalled who, having forsaken their

[1] *Observations upon the Effects of Certain Late Political Suggestions: by the Delegates of Georgia.* pp. 10. Philadelphia. MDCCCLXXXI.

plantations in Georgia, had sought refuge in South and North Carolina, and in Virginia.

The machinery of State government was further organized by this legislature, assembled in Augusta,—of which John Jones was the speaker,—by the election of John Wereat as chief justice, Samuel Stirk as attorney-general, James Bryan as treasurer, and John Milton as secretary of State. Provision was made for reopening the courts of justice, and assistant judges were elected for each county. It was then the duty of the chief justice to preside at the superior courts of all the several counties, and the terms were so arranged as to permit his presence. In each county he was aided by the assistant justices selected for the county. For the more efficient organization and control of the militia the following officers were chosen:

For the County of Wilkes: Elijah Clarke, colonel; John Cunningham, lieutenant-colonel; and William Walker, major.

For the County of Richmond: Josiah Dunn, colonel; Isaac Jackson, lieutenant-colonel; and Joshua Winn, major.

For Lower Richmond: James Martin, colonel; James McNiel, lieutenant-colonel; and Archibald Beal, major.

For the County of Burke: Asa Emanuel, colonel; James McKay, lieutenant-colonel; and Francis Boykin, major.

For the County of Effingham: Caleb Howell, colonel; Stephen Johnson, lieutenant-colonel; and Daniel Howell, major.

For the County of Chatham: George Walton, colonel; John Martin, lieutenant-colonel; and Charles Odingsell, major.

For the County of Liberty: John Baker, colonel; ——Cooper, lieutenant-colonel; and James Maxwell, major.

To the governor was allowed a salary at the rate of £500 per annum; to the chief justice, a salary of £300; to the attorney-general, a salary of £200; to the treasurer, a salary of £150; to the secretary of State, a salary of £100; to the clerk of council and assembly, a salary of £75; and to the messenger of council, a salary of £50. The delegates to the Continental Congress were entitled to a sum sufficient to defray all their expenses incurred in going to, attending upon, and in returning from Congress.

Governor Brownson was a leading physician of Southern Georgia, public-spirited, wise in counsel, and an early and earnest supporter of the plans of the Revolutionists. Twice had he served his people as a member of the Continental Congress. Among the purest patriots of Liberty County will he always be numbered.

In the early part of December, 1781, the council was called upon to mourn the loss of the Honorable Myrick Davies, recently its president, who was inhumanly slain by the Royalists. The headquarters of the board had for some time been fixed at Howell's plantation in Burke county. On the 11th of December, 1781, the following minute appears in the journal of the executive council:

"Resolved, that his honor the governor be requested to take measures for conveying the body of the late Myrick Davies, Esqr., president of the Executive Council, to this place,[1] and that Mr. Lewis be requested to prepare a proper discourse for his interment, and this Board will attend the same."

On the 2d of January, 1782, Stephen Heard was for a second time elected president of council.

By the legislature, which convened in Augusta on the 1st of January, 1782, was John Martin, an active defender of the liberties of his country and a lieutenant-colonel in the continental line of the Georgia brigade, elected governor. William Gibbons was selected as speaker. This body remained in session only about ten days, and was subsequently, by proclamation of the governor, convened at Augusta on the 17th of April.

Already were indications of a successful issue to the impending conflict becoming apparent, and the hearts of the Revolutionists were cheered by the approach of a strong army for the reclamation of Georgia.

Encouraged by the prospect, Governor Martin, in his inaugural address, thus felicitated the members of the legislature: "I am extremely happy in finding that the virtuous struggles made by the good citizens of this State against our cruel and unnatural enemies have at length nearly secured to us those blessings for which we have so long contended, and, I doubt not, but by a continuance of those exertions and the support we have reason to expect, we shall in a short time reap the happy fruits of our labors."

It was under his administration that Georgia was rescued from British dominion and the commonwealth restored to the full exercise of all legislative, executive, and judicial powers. He was the governor whose good fortune it was to behold the successful termination of the Revolution, and to witness the public recognition of Georgia as a sovereign State.

CHAPTER X.

Augusta Evacuated by Williamson, and Occupied by Brown and Grierson—Barbarous Cruelties Perpetrated by Them—Colonel Clarke's Attempt to retake Augusta—Narrative of the Incidents Connected with the Affair—Governor Wright's Dispatches—Sad Plight of the Revolutionists—Colonel Brown.

HAVING in this summary of the political history of Georgia during this period of uncertainty, distraction, poverty and desolation, anticipated in some measure the progress of events, let us turn to the military affairs immediately affecting the fortunes of the town of Augusta.

Many of the refugees from Southern and Middle Georgia experienced great

[1] Augusta.

difficulty in placing their families and personal property in localities exempt from danger. Some, foreseeing the privations to which their wives and children would be subjected, repented of their patriotic purpose and availed themselves of the protection offered by the Crown. Others, unable to defray the charges incident upon a removal, and filled with a heroic desire to consecrate their lives to the military service of the Confederacy, bade farewell to their homes and commended their all to the chances of war and the God of battles.

Merciless was the conflict waged between Royalists and Republicans. The former, inflamed with hatred and eager for rapine, spared neither age nor sex. Ruin marked their footsteps, and their presence was a signal for theft, torture, murder, and crimes without a name. Revenge and retaliation prompted the Republicans to many bloody deeds which can scarcely be excused even in a defensive war,—that most justifiable of all conflicts, where life, liberty, property, and country are at stake. Dark is the picture from whatever light it may be viewed, and not a few of the scenes there depicted were, beyond controversy, inspired by Moloch.

Brigadier-General Andrew Williamson, with three hundred men, was now encamped near Augusta. Although composed of militia, this was, numerically considered, the most formidable force then assembled at a single point for the defense of republican Georgia. While encouraging Colonel Clarke with the suggestion that he would accede to a concentration of forces and unite in the suppression of the Royalists in Upper Carolina, he held the king's protection in his pocket and meditated an act of infamy. Unable either to read or write, he entrusted the details of his command to his aid-de-camp, Malcolm Brown, who had long given evidence of his attachment to the royal cause. Concealing for some time the information he had received of the fall of Charlestown, he subsequently, upon the approach of the British detachments, called his officers together, expressed the opinion that further resistance would prove ineffectual, and recommended them to return to their homes and there accept the protection offered at the hands of the king's servants. He thereupon abandoned his command. For this traitorous act he was rewarded by a colonel's commission in his majesty's service; and, until the close of the war, was recognized as a warm advocate of the re-establishment of the royal government.[1]

Upon the disbanding of this force Augusta was occupied by Colonels Brown and Grierson, two notorious partisan officers in the king's army The former had been a resident of that town prior to the inception of the war. His conduct and language had then been so offensive and insulting to the friends of liberty that he was finally arrested by the parish committee, tried, tarred and feathered, and exposed to public ridicule in a cart drawn by three mules. This ignominous punishment ended, he made his escape to the British, swearing vengeance against all patriots. Entrusted now with the command of the town

[1] McCall's *History of Georgia*, vol. ii. p. 304. Savannah. 1816.

in the streets of which he had suffered such gross indignities, he was resolved to gratify a revenge sternly cherished, and to repay, with interest, to the citizens of Augusta the ill-usage he had experienced at their hands. His first measure was the sequestration of the property of the Republican inhabitants. This was speedily followed by an order banishing, beyond the limits of Georgia, all Whig families. Stripped of their possessions and driven from their homes, exposed to insults and enduring numberless privations, these proscribed Georgians were compelled to journey even to the borders of North Carolina, where they arrived half famished, broken down by the fatigue and hardships of travel, and some of them with constitutions so sadly shattered that all hope of health and life had fled.[1] The tyrant rejoiced in his supremacy; and, gloating over the sorrows he had wrought, boasted that his

. . . "great revenge
Had stomach for them all."

Emissaries were dispatched into the adjacent country with authority to grant protections and exact oaths of allegiance to the British Crown. A party thus commissioned, and led by Captain Corker, at dead of night forced an entrance into the dwelling-house of Colonel John Dooly and, in the most barbarous manner, murdered him in the presence of his wife and children. Thus perished an officer who had borne himself gallantly in many affairs and deserved well of the republic.

Soon after the affair near Musgrove's Mill, in which Colonel Clarke fought with a desperation worthy of all praise and narrowly escaped with his life, that noted partisan leader—plucky and powerful, every inch a hero—returned to Georgia with his command. Lord Cornwallis had recently addressed a circular letter to his subalterns, containing the following severe injunctions:

"The inhabitants of the Provinces who have subscribed to and taken part in this revolt should be punished with the utmost rigour: and also those who will not turn out shall be imprisoned and their whole property taken from them or destroyed. I have ordered in the most positive manner that every militia man who has borne arms with us, and afterward joined the enemy, shall be immediately hanged. I desire you will take the most rigourous measures to punish the rebels in the district in which you command, and that you obey in the strictest manner the directions I have given in this letter relative to the inhabitants in this country."

Under color of this authority, cruelties, the most barbarous, were practiced. Grievous punishments were inflicted without even the forms of trial. Condemnations and executions occurred, the prisoners being unacquainted with the offenses with which they were charged. The morning after this sanguinary order was received in Augusta five victims were taken from the jail, and by order of Colonel Brown were publicly strangled on the gibbet.[2] Confiscations

[1] McCall's *History of Georgia*, vol. ii., p. 320. Savannah. 1816.
[2] McCall's *History of Georgia*, vol. ii. p. 320. Savannah. 1816.

were multiplied, and a reign of terror overspread such portions of Georgia and South Carolina as were under the control of the king's forces. Hoping that this inhuman order would rouse the manhood of the State to determined resistance and concentrate the friends of American liberty in a supreme effort for its assertion, Colonel Clarke, in association with Lieutenant-Colonel McCall, planned an expedition for the capture of Augusta. In the success of the enterprise they were the more inclined to repose confidence because Lord Cornwallis in mustering his forces to oppose General Gates had materially depleted the garrison at that point. It was hoped that they might, within a short time, by their joint exertions raise an army of one thousand men. With such a force it was believed that Brown would be compelled to evacuate his post, and that the northern and western divisions of Georgia and South Carolina would be speedily restored to their Confederate allegiance. Soap Creek in Georgia, forty miles northwest of Augusta, was agreed upon as the place of rendezvous.

Entering Wilkes County about the 1st of September, 1780, Colonel Clarke succeeded, within less than two weeks, in placing in the field some three hundred and fifty men. After the most strenuous efforts expended in the western part of Ninety-Six district, in South Carolina, Colonel McCall persuaded only eighty men to accompany him upon the expedition. A union of these detachments occurred at Soap Creek at the appointed time. Celerity of movement being all important, Colonel Clarke put his column on the march without delay and, on the morning of the 14th of September, halted near Augusta and formed his command for action. The enemy was ignorant of his purpose until he appeared before the town. One division, commanded by Lieutenant-Colonel McCall, was instructed to enter Augusta by the lower road. The left division, led by Major Samuel Taylor, was ordered to approach by the upper road, while Colonel Clarke in person, with the center division, was to effect an entrance by the middle or southern road. Moving rapidly and simultaneously these divisions advanced upon Augusta.

Near Hawk's Creek, on the west, Major Taylor fell in with an Indian encampment which he at once carried. The savages retreated upon their allies, keeping up a desultory fire as they retired. This assault upon the Indian camp gave Colonel Brown the first intimation of the approach of the Americans. Taylor pressed on to gain possession of McKay's trading post, denominated the *White House*, and situated about a mile and a half west of Augusta as the town then stood. This house was occupied by a company of the King's Rangers, commanded by Captain Johnston. Thither did the retreating Indians betake themselves. Ordering Grierson to reinforce Johnston, Brown advanced with the main body of his troops to contest the entrance of the Americans. Completely surprised by the center and right divisions, the forts surrendered after scarcely a show of resistance. Seventy prisoners and a large quantity of Indian presents[1] fell into the hands of the captors. These being secured and

[1] Their aggregate value was reckoned at £4,000.

left under the charge of a suitable guard, Colonel Clarke hastened to the assistance of Major Taylor.

Meanwhile, Brown and Grierson had joined Johnston and the Indians at the White House and entered upon its vigorous defense. Taking possession of several small houses to the eastward, Clarke endeavored, under their cover, to dislodge the enemy. The attempt proved futile. From eleven o'clock in the forenoon until nightfall an irregular fire was maintained between the contending parties, but without producing any material impression. It was manifest that the enemy could not be driven from his stronghold without the assistance of artillery. Sheltering themselves behind the bank of the river, and protected by the trees which grew along the margin, such of the Indians as could not be accommodated in the White House found security in that locality, and thence delivered a careful and an annoying fire. Hostilities ceased with the close of the day, and strong guards were posted to prevent the escape of the enemy.

Under cover of the night Brown materially strengthened his position by throwing up earthworks round the house. The space between the weather boarding and the ceiling was filled with sand and clay so as to render the structure proof against musketry. The windows were secured by boards taken from the floors, and loop-holes were constructed at convenient distances. Every material at command was utilized in enhancing the defensive power of the building.

The next morning two pieces of light artillery, a four-pounder and a six-pounder gun, were transported from Fort Grierson and placed in position so as to bear upon the White House. Their carriages not being adapted for field service, and their management being unskillful, these guns proved of little avail. Captain Martin, too, the only artillerist in Clarke's command, was unfortunately killed just after the guns were brought into action. A musketry fire was directed during the day against the enemy, who evinced no intention either of abandoning the post, or of surrendering.

During the night of the 15th Brown was reinforced by fifty Cherokee Indians, who, well armed, crossed the Savannah in canoes and participated in the defense. Before daylight on the morning of the 16th the Americans succeeded in driving the Indians from their shelter along the river bank and in completely cutting off the garrison from its water supply. Thus was the enemy greatly inconvenienced, and the sufferings of the wounded became intense. Their cries for water and medical aid were heartrending. A horrid stench, arising from the dead bodies of men and horses, enhanced the miseries of the situation. Brown, himself, shot through both thighs, was suffering terribly, but his desperate courage never for a moment forsook him. Ignoring the tortures of his wounds, he remained booted at the head of his gallant band, directing the defense and animating his troops by his presence and example. In order to atone in some degree for the absence of water, he ordered all the

urine to be carefully preserved in earthen vessels found in the store. When cold, this was served out to the men, he himself taking the first draught.[1] A more frightful illustration of the extremity of the situation cannot be imagined. Summoned to surrender on the 17th, he promptly refused the demand, and warned Colonel Clarke that his present demonstration would eventually bring destruction and devastation upon the western division of Georgia. The summons was repeated in the afternoon with an avowal of a fixed determination on the part of the Americans to reduce the garrison at every sacrifice. Brown's only reply was that he should defend himself to the last extremity. Never was braver foe brought to bay. His wonderful resolution sustained all his followers in their dire distress.

Upon the appearance of the Americans, Colonel Brown had dispatched messengers by different routes to inform Colonel Cruger, at Ninety-Six, of his situation, and to urge that reinforcements should be immediately sent to his relief. Sir Patrick Houstoun, one of these messengers, was the first to reach Ninety-Six. He communicated the perilous posture of affairs. Cruger lost no time in repairing to the scene of conflict. During the night of the 17th Colonel Clarke was informed by his scouts that Colonel Cruger, at the head of five hundred British regulars and royal militia, was advancing by forced marches for the succor of the besieged. In direct disobedience of orders many of Colonel Clarke's men had gone to Burke county to see their families and friends, from whom they had long been separated. Others, actuated by the love of booty, had decamped, carrying with them the goods which Brown had recently received to be distributed as presents among the Indians.

About eight o'clock on the morning of the 18th the British troops appeared on the opposite bank of the Savannah River. In his enfeebled condition, his ranks depleted by wounds, death, and desertion, Colonel Clarke was compelled to raise the siege. The Americans retreated about ten o'clock, having sustained a loss of sixty in killed and wounded. Among the former were Captains Charles Jourdine and William Martin, and William Luckie, a brave and much respected young man from South Carolina, who fell early in the contest while endeavoring to gain possession of the White House.

Such of the republicans as were badly wounded were left in the town. Thus did Captain Ashby, an officer noted for his bravery and humanity, and twenty-eight soldiers fall into the hands of the enemy. He and twelve of the wounded prisoners were forthwith hung upon the staircase of the White House, where Brown was lying wounded, that he might enjoy the demoniacal pleasure of gloating over their expiring agonies. Their bodies were then delivered to the Indians, who, after scalping and mutilating them, threw them into the river. Henry Duke, John Burgamy, Scott Reeden, Jordan Ricketson, Darling, and

[1] See Lee's *Memoirs of the War in the Southern Department*, vol. i. p. 207. Philadelphia. 1812.

the two brothers Glass, youths of seventeen and fifteen years of age, were choked to death under a hastily constructed gibbet. Their fate, however, was mild when contrasted with that reserved for other prisoners who were delivered into the hands of the Indians that they might be avenged of the losses which they had sustained during the siege. Placing their victims in the center of a circle, they consigned them to blows, cuts, scalping, burning, and deaths most horrible. Seventy savages had fallen at the hands of the Americans, and thus did their surviving companions offer sacrifices to their names. The brutalities inflicted by Brown and his followers on this occasion stagger all comprehension and transcend civilized belief.

Major Carter, who accompanied the division assaulting by the upper road, encountered a mortal hurt at the door of the White House while endeavoring to prevent the enemy from gaining possession of that structure. At great hazard he was borne off by his comrades, who conveyed him to the plantation of Mrs. Bugg, where he expired a few days afterwards. To him Colonel Clarke paid this tribute: "A man of more bravery than Major Carter never occupied a space between heaven and earth."

Among the British slain were Captain Andrew Johnston and Ensign Silcox, of the Florida Rangers. Brown's command on this occasion consisted of two hundred and fifty loyalists,—chiefly Florida Rangers,—an equal number of Creek warriors, and fifty Cherokees.

Before retiring, Colonel Clarke paroled the officers and men whom he had captured. Among them were Captain James Smith and forty-one of the King's Rangers, a commissioned officer and eleven men of De Lancey's corps, and a surgeon. In entire disregard of the obligations into which they had entered, these officers and soldiers resumed their arms immediately upon the departure of the Americans.

No sooner had the Republican forces retreated than Colonel Brown sent out detachments in every direction to arrest all persons who had participated in the siege or sympathized in the effort to recapture Augusta. Captain Kemp, with a small party of rangers, surprised Colonel Jones and five companions in a house on Beech Island. James Goldwire was killed. Although Jones and two of his company were wounded, they succeeded in repelling the rangers and in taking refuge in a swamp. While there concealed and awaiting recovery from his wounds, Jones was discovered and made prisoner. The loyalists clamored for his life, which was saved through the personal exertions of Captain Wylly, who surrounded him with a guard.

The entire adjacent country was subjected to a rigorous search. Republican sympathizers were dragged from their homes and crowded into wretched prisons. Those suspected of having belonged to Clarke's command were hung without even the mockery of a trial. Venerable men, beyond the age of bearing arms and standing aloof from the contest, were consigned to filthy jails for

no reason save that they welcomed the return of sons and grandsons who had long been absent in the armies of the Revolution. Witness the sufferings of the father of Captains Samuel and James Alexander. In the seventy-eighth year of his age he was arrested by order of Colonel Grierson, chained, and dragged at the tail of a cart forty miles in two days. When attempting to obtain some rest for his feeble limbs by leaning against the vehicle, he was ignominously scourged by the driver.

Closely confined in Augusta, these old men were held as hostages for the neutrality of the country. Succumbing to the rigors of ill usage, the ravages of smallpox, and the privations incident to their sad situation, few survived to behold the eventual triumph of the patriots. Some twenty-five prominent persons who had been paroled in Augusta were sent to Charlestown. Among these may be mentioned Majors George Handley and Samuel Stirk, Captain Chesley Bostwick, Mr. John Wereat, and several members of the executive council of Georgia.[1]

Thus did Colonel Brown, smarting under bodily pain and remembered indignities, make good his threat uttered in the White House. Thus did he satiate his revenge. The homes of the patriots were filled with blood, ashes, and tears. The Republicans were compelled to pass under a yoke too heavy for the stoutest neck. Further sojourn in this region was rendered intolerable, and multitudes forsook the territory dominated over by the insatiate Brown and his followers.

Colonels Clarke and McCall have been severely although unjustly criticised for inaugurating this movement against Augusta. Had they succeeded, praise and not censure would have been the general verdict. By some the expedition was denounced as an "ill-timed and a premature insurrection." Such language did not emanate from patriotic lips. The undertaking was well conceived and vigorously pressed. But for the lack of field artillery the White House would have been carried prior to the appearance of Colonel Cruger. That the failure of the effort to retake Augusta inflamed the Royalists and entailed additional miseries upon the region cannot be doubted. The entire affair was a warlike mischance encountered by men patriotic in their impulses, zealous in their action, and eager to achieve a great good.

After raising the siege of Augusta Colonel Clarke retreated to Little River and there disbanded his force that his men might visit their homes preparatory to service in distant fields.

Three dispatches[2] touching this affair were sent by Governor Wright to Lord George Germain,—his majesty's principal Secretary of State. In the first he writes, under date "Savanah in Georgia 18th Septr 1780," as follows: "My Lord. Yesterday I receiv'd Advice from Augusta acquainting

[1] See McCall's *History of Georgia*, vol. ii., pp. 320–330. Savannah. 1816.

[2] P. R. O. Am: and W. Ind: vol. 237.

me that a great Number of the Inhabitants of the Ceded Lands, together with some from South Carolina, had come to Augusta on the 14th Inst, & attack'd Col Brown, & that they had defeated him & He was oblig'd to retire into a Small Stockade Fort there—There was at Augusta about 450 Creek Indians, & I believe Col Brown has about 200 of his own Corps. It appears to me that the Attack was so sudden that Col Brown had not time to send off an Express, & no Accounts are as yet come from him—and it is fear'd and not doubted that Augusta has fallen into the hands of the Rebels. The Temptation was certainly too great unless there had been a stronger force there. I am well inform'd that the Goods intended as Presents to the Indians was at least of £4000 Sterlg value—Prime Cost—which it is suppos'd must have fallen into the Hands of the Rebels, & the whole, such sort of Goods as the Back Country People esteem most. It is impossible to say as yet, what the consequences of this unfortunate Affair may be." . . . .

In the second, under date of "22nd Septr," he expresses to his lordship the happiness he enjoys in having it in his power to say "that Col Brown at Augusta, with the Assistance of the Indians, (who behav'd extremely well) held out against the Rebels from Thursday Morng till Monday Morng & the last two days without any Water—And on Monday Morng the Rebels hearing that Col. Cruger was marching to the relief of Col Brown, they immediately made off. Many Rebels have been kill'd, wounded & taken, & one hang'd & I hope several others will, as they have now forfeited every kind of Claim to favor & protection. . . . . This, my Lord, is a very fortunate Event, for had they succeeded, I am affraid, nay certain, they soon would have become formidable, & I shall now endeavour that such Steps be taken against them as may put it out of their power to do more mischief. Some of the Indian presents fell into their hands during the time they were there, which were carried off, but the principal part were deposited where Col Brown took shelter."

From the third, showing the temper of the royal Governor, we make the following extract: "I have now the Honor to inclose your Lordship a Copy of my Last, giving an Account of the Retreat of the Rebels from Augusta, and from the best Information I have been able to collect I don't find that the Rebel Force exceeded from 4 to 450 Men. I believe Clarke, who commanded, carried back into Carolina 200 to 250 of them: the rest, its said 100 killed, wounded, & taken, and from 70 to 100 surrendered themselves afterwards to Colonel Cruger on the Ceded Lands. 13 Indians were killed. . . . Thirteen of the Prisoners who broke their Paroles & came against Augusta have been hang'd, which I hope will have a very good Effect.

We are doing everything possible to root out Rebellion in this Province & for our Defence here. Several Plantations or Settlements on the Ceded Lands, belonging to those who were at Augusta, have been burnt & laid waste. I think about 100, and Mr. Graham[1] is now at Angusta with Directions to see

[1] Royal Lieutenant-Governor of the Province.

the Disqualifying Law carried into Execution in its utmost Extent, so that I hope when the Generality of them are disarmed & have been compelled to give security for their good Behaviour, they must be convinced that Examples will be made both as to Life & Property, & I trust they will not venture to behave in the villainous manner they have hitherto done."

Never was the patriotism of any people more sorely tried than was that of republican Georgians during the winter of 1780. Their affairs were literally *in extremis*. Of commerce there was none save an occasional introduction, at great hazard, of salt and military supplies. Agriculture, for some time on the wane, was now pursued with no expectation of profit, but simply as a means whereby a bare subsistence might be obtained. Only such raiment was procurable as domestic industry evoked from the rude spinning-wheel and the cumbersome hand-loom. The temples of justice were closed, and there were no live coals on the altars dedicated to Jehovah. School-houses were rotting in silence, and no sound of merriment was heard in the land. Confiscations, conflagrations, thefts, murders, and sanguinary royal edicts had wrought sad havoc and engendered mourning almost universal. Poverty and ruin dwelt everywhere, and for months the signs of patriotic life in Georgia were most feeble and spasmodic. The paper currency, the only circulating medium known to the inhabitants, had so effectually lost its purchasing power that the pay of a captain in the rebel service for an entire month was incapable of procuring for him a pair of common shoes. The pecuniary compensation of the private soldier was literally nothing, and his supply of food and clothing was meager and precarious in the extreme.

That the Confederation, under such circumstances, should have been able to enlist soldiers and to offer effectual resistance appears almost inexplicable: for history teaches that in the maintenance of protracted wars, no matter what the patriotism and endurance of the contestants may be, reasonable pay and sufficient rations are absolutely requisite to insure efficient service in the field and contentment at home. The struggles of the American colonies in their rugged march toward the achievement of liberty are without parallel in the record of revolutions. As we look back upon this period of privation, self-denial, desolation, and supreme effort, we marvel at the heroic spirit which possessed this beleagured land. As we contrast the armies of the republicans with those of other nations renowned for valor and patriotism, we wonder at the inspiration which sustained them and the zeal for independence which enabled them to suffer every want and overcome all obstacles.

Of all the inhuman characters developed during this abnormal period so replete with murder, arson, theft, brutality, and crimes too foul for utterance, none can be named more notorious than Thomas Brown, loyalist and colonel in his majesty's service. His acts incarnadine and encumber with barbarities the Revolutionary pages in Georgia history. And yet this tyrant, this perse-

cutor of defenseless women and children, this butcher of captives, this relentless, merciless persecutor of patriots, in a long letter penned from Nassau on the 25th of December, 1786, calls Dr. Ramsay to account for the strictures in which he justly indulges when reviewing his conduct, and enters upon a lengthy justification of some of the transactions which have rendered his reputation well-nigh infamous.

Bravery was his only redeeming trait, and that he possessed and exhibited in a wonderful degree. Loyalty to the king was the cloak which covered every excess. Revenge was the passion sweeter than all others. To his ears the dying groans of a republican were more enjoyable than strains of purest melody. Convicted in the city of London in 1812 of a grand forgery upon the government which he served, he ended his days in disgrace and ignominy.

The shadows which had so long enshrouded the hopes of the Revolutionists in Georgia were now lifting. The absent were returning and assembling in force for the salvation of their homes. Firm in the confidence and secure in the affection of the Southern Department, General Greene was hailed as the great and good genius of the hour. Brave men were projecting plans of deliverance, and among them was a scheme for the repossession of Augusta and the capture of the lawless men who had so grievously afflicted the region.

CHAPTER XI.

Colonel Williamson Invests Augusta—Arrival of Colonel Clarke—Pickens and Lee Ordered to Assist in the Reduction of Augusta—Capture of Fort Galphin—The Siege and Capitulation of Augusta—Lieutenant-Colonel James Jackson Assigned to the Command—Burnet's Rascality—Governor Wright Calls Lustily for Aid.

STILL suffering from the effects of the smallpox, Colonel Clarke was too feeble to take the saddle at the time appointed for the reassembling of his men at Dennis' Mill on Little River. Consequently, Lieutenant-Colonel Micajah Williamson assumed the command and, on the 16th of April, 1781, moved with the detachment to the vicinity of Augusta. There he was reinforced by Colonel Baker with as many militia as he had been able to collect in Southern Georgia, and by Captains Dunn and Irwin who brought with them some men from Burke County. Soon after, Colonel Hammond and Major Jackson arrived with such of the Carolina militia as they had been successful in recruiting in the neighborhood of Augusta.

With this force, which was numerically a little superior to that possessed by the enemy but far inferior in discipline and equipment, Colonel Williamson occupied a position twelve hundred yards distant from the British works, and

there fortified his camp. It is believed that the exaggerated accounts of the American strength conveyed to Colonel Brown deterred him from making an attack which would probably have eventuated in success.

For nearly four weeks had the republicans been sitting down before Augusta, guarding all the approaches to the town, confining its garrison within their defenses, and eagerly expecting reinforcements from General Greene's army, preparatory to a general assault upon the British works. Wearied with the service, and despairing of the anticipated aid, the militia were on the eve of withdrawing when Major Jackson—as eloquent of speech as he was daring in war—by a patriotic address inflamed their ardor and changed their purpose. The arrival of Colonel Clarke and one hundred men on the 15th of May restored confidence and confirmed the resolution to prosecute the enterprise to a successful issue.

Major Dill had collected a band of loyalists with the intention of reinforcing Brown and compelling the Americans to raise the siege. Without waiting for his approach, Colonel Clarke dispatched Captains Shelby and Carr, with a strong party, who fell upon him at Walker's bridge on Brier Creek, killing and wounding a number of his men and dispersing the rest.

Entertaining no apprehension of an attack from the enemy, Colonel Clarke sent his cavalry horses under a guard of six men to Beech Island that they might be plentifully supplied with forage. Learning this fact, Colonel Brown detailed a force of regulars, militia, and Indians, to proceed down the Savannah River in canoes to cut off the guard and capture the animals. In this mission they succeeded. Every man of the guard was slain. While returning with the horses, they were attacked by Captains Shelby and Carr, near Mrs. Bugg's plantation, and entirely routed. Not one of the enemy falling into the hands of the Americans was permitted to live. Nearly half the detachment was killed. All the horses were recovered.[1]

Unfurnished with artillery Colonel Clarke picked up an old four-pounder which had been abandoned by the British, mounted it, and employed a blacksmith to forge projectiles for it. This little piece was placed in battery about four hundred yards from Fort Grierson. So limited was the supply of ammunition that it was fired only on occasions the most favorable.

General Pickens with four hundred men was operating between Augusta and Ninety-Six to cut off all communication between those posts. Eastward of Ninety Six Colonels Branham and Hayes were recruiting their commands and intercepting supplies intended for the relief of that station. While thus engaged Colonel Hayes, who then had with him forty-five men, was suddenly attacked by Major Cunningham. Taking refuge in a house Hayes defended himself until further resistance appeared useless. He then surrendered upon condition that his men should be recognized and treated as prisoners of war.

[1] See McCall's *History of Georgia*, vol. ii. p. 368. Savannah. 1816.

No sooner had they laid down their arms than they were assaulted and murdered to a man. Behold the temper and faith of the loyalists!

The investing force of the Americans was somewhat enfeebled at Augusta by a detail sent into the upper portion of Georgia and South Carolina to drive back some Indians and loyal refugees who were committing depredations upon the frontier.

Such was the posture of affairs, and such were the events which transpired in the vicinity of Augusta just prior to the advent of General Pickens and Lieutenant-Colonel Lee. Fort Motte had fallen. So had Fort Granby. Within less than a month General Greene compelled Lord Rawdon to evacuate Camden, and forced the submission of the adjacent British posts. He was now moving forward for the close investment of Ninety-Six. The capture of Augusta was determined upon, so that by one continuous and decisive campaign the deliverance of the States of Carolina and Georgia from the domination of the king's forces might be thoroughly compassed, save in the cases of Charlestown and Savannah which could not, at the time, be readily assailed because the enemy ruled at sea. Meanwhile Colonel Cruger was busily engaged in strengthening his defenses at Ninety-Six, and was resolved to hold his post to the last extremity.

General Pickens and Lieutenant-Colonel Lee were ordered to repair with their commands to Augusta and reduce that town. The latter officer, having narrowly observed the operations of the enemy at Ninety-Six and reported fully the condition of affairs to General Greene, took up his line of march across the country for Augusta. On the third day he arrived in its vicinity. He had been preceded by Captain Ferdinand O'Neale, who, with a party of light horse, was detached to collect provisions and acquire all information which might facilitate the consummation of the military operation immediately in hand. By this officer Colonel Lee was advised of the arrival at Fort Galphin of the annual royal present intended for the Indians. It consisted of powder, ball, small arms, liquor, salt, blankets, and other articles which were sadly needed in the American camp. For the protection of these valuable supplies two companies of infantry had been detailed by Colonel Brown from his command at Augusta, and they were, at the moment, garrisoning Fort Galphin. With a view to the possession of these coveted articles, and that Brown's force might be permanently weakened by the capture of these two companies, Colonel Lee resolved upon the immediate reduction of the fort at Silver Bluff. Of his proximity to Augusta the enemy seems not to have been aware. His movements had evidently been rapid and well concealed. Quick action was imperatively demanded. Leaving Eaton with his battalion, the artillery, and the exhausted men of the legion to follow on more leisurely, and mounting a detachment of infantry behind his dragoons, Colonel Lee pressed on by a forced march toward Fort Galphin.

This work, situated on the left bank of the Savannah River about fifteen miles below Augusta, consisted of the substantial brick residence erected by George Galphin, the famous Indian trader, surrounded by a stockade. Dreadnaught the English called it, and the bold bluff near which it stood had long been known as Silver Bluff.

The morning of the 21st of May, 1781, was sultry beyond measure. For miles not a drop of water had been found to quench the violent thirst of trooper and horse. Men and animals were sorely oppressed as they halted beneath the pines which skirted the field surrounding the fort. Ignorant of the approach of Colonel Lee and his command, the enemy was resting quietly within the stockade. The fierce rays of the sun smote everything with a blinding and paralyzing influence which forbade all exertion not imperatively demanded. But the prize was at hand and moments were precious. Pausing but a little while for his command to recover breath, Colonel Lee dismounted such militiamen as accompanied the expedition and ordered them to demonstrate against the fort from a direction opposite to that then occupied by him. Confidently conjecturing that the garrison, upon the appearance of the militia, would speedily issue from the stockade and resist the threatened attack, Colonel Lee resolved to seize upon the instant, and, by a rapid assault, capture the post when thus bereft of its defenders. To that end Captain Rudolph (whom an ill-defined tradition identifies as the famous Marshal Ney in disguise), with such infantry as was capable of quick action, was held in readiness at the opportune moment to rush upon the fort. The remaining foot-soldiers, supported by a troop of dragoons, took a position whence the militia could be surely and readily shielded, in their retreat, from any injury which the pursuing garrison might seek to inflict. Such was the strategy devised by the accomplished Light Horse Harry. Most successfully was it consummated.

As had been anticipated, at sight of the demonstrating militiamen the garrison flew to arms, and, rushing from the fort, advanced to repel the threatened attack. After a show of resistance the militia retreat, drawing the garrison after them in hot pursuit. Just then Captain Rudolph with his detachment sweeps rapidly across the field and envelops the stockade. The resistance offered by the few defenders remaining within is feeble and is speedily crushed. The dragoons, foot-soldiers and rallying militia close in upon the enemy in the field, and quick surrender follows. The Americans lost but one man during the engagement, and he perished from excessive heat. Only three or four of the enemy fell in the affair. The capture of the entire garrison, and the possession of the valuable stores concentrated within the stockade, proved a rich reward for the toil and suffering involved in the adventure. The entire affair, its conception, the strategy employed, and its consummation were alike creditable to the young Virginian and his brave followers.

But a few short hours did Colonel Lee tarry with his command at Fort

Galphin. Suitable provision having been made for securing the fruits of his dashing triumph, he hastened on to join Pickens and Clarke and to participate in those operations which eventuated in the surrender of Brown at Augusta.

Compared with many other engagements which occurred within the confines of the Carolinas and of Georgia during our eight years' struggle for independence, this capture of Fort Galphin will perhaps be reckoned as the small dust of the balance, and yet it was not devoid of significance or lacking in important consequences. It supplied a needy army with stores which it sadly craved. It weakened the royal forces in Augusta and conduced most materially to the capitulation of that town. It inspired the Revolutionists with fresh courage, and nerved their arms for further exhibitions of valorous emprise.

Major Eaton, meanwhile, with the rest of the legion formed a junction with General Pickens at the Cherokee ponds, six miles from Augusta. Together they moved forward and united with the forces engaged in the investment of that town. Having rested his infantry, Colonel Lee dispatched Major Eggleston at the head of his cavalry to cross the Savannah River at Wallicon's ferry,[1] three miles below Augusta, and to co-operate with Pickens and Clarke. That officer's instructions were to make himself thoroughly acquainted with the situation of the enemy, as his commanding officer desired definite information upon which he could promptly act upon arrival. He was further enjoined, without delay, to send in a flag communicating the fact of the near approach of a portion of General Greene's army, informing Colonel Brown that Ninety-Six was closely invested by the main body led by the commanding general, and urging the propriety of an immediate surrender. Brown had previously refused to receive flags coming from, or hold any communications with, militia officers. Eggleston being the senior continental officer there present, Colonel Lee, in view of all the circumstances, deemed it best that he should be deputed to attempt this negotiation. Colonel Brown treated the flag with contempt, refused to answer the dispatch, and forbade a renewal of the interview.[2]

Colonel Lee arrived during the evening of the 21st, and took post with Pickens and Clarke in the woods bordering Augusta on the west. This town was then small, containing only a few hundred inhabitants. At a short remove from the habitations, the valley in which Augusta was situated was covered with dense woods, with cleared fields here and there. Cornwallis, the principal fort occupied by the enemy, was situated in the northerly portion of the central part of the town, having complete command of Savannah River and the adjacent territory.

In after years the ground upon which it stood was set apart for holier uses. Here was erected a temple dedicated to the worship of the God of Peace, and

[1] Now known as the *Sand-bar* ferry.

[2] See Lee's *Memoirs of the War in the Southern Department*, etc., vol. ii. p. 92. Philadelphia. 1812. McCall's *History of Georgia*, vol. ii. p. 372. Savannah. 1816.

St. Paul's Church, of blessed memory, now proclaims its message of salvation where formerly thundered the malignant guns of this war-begrimed fort.

Half a mile to the west the plain was then interrupted by a lagoon or swamp which connected Beaver Dam Creek with the Savannah River.[1] On the northwestern border of this lagoon, and near its confluence with the Savannah, a second fort[2] was located, called Grierson in honor of the loyalist colonel who commanded its garrison. British regulars were stationed in Fort Cornwallis, while the tenure of Grierson was confided to militia.

Colonel Lee confesses that he was "considerably ruffled" at the contemptuous treatment which Major Eggleston received, and that his determination was to enter into no communication with the British commander until it was solicited by himself.

After careful consideration of the situation it was resolved to drive Grierson out of his fort, and either capture or destroy him in his retreat upon Cornwallis. To this end arrangements were speedily made. General Pickens and Colonel Clarke, with the militia, were to attack from the north and west. Major Eaton, with his battalion, was to approach the fort from the south and co-operate with the militia, while Colonel Lee, with the infantry and artillery, moving southeast of the lagoon and parallel with Eaton, was to hold himself in readiness either to support his attack, if required, or to attend to the movements of Brown should he quit his defenses and interpose for the salvation of Grierson. Major Jackson with his Georgia militia was to accompany and act under the orders of Major Eaton. The cavalry under Eggleston were ordered to draw near to Fort Cornwallis, keeping under cover of the wood and prepared to fall upon Brown's rear should he advance against Lee. Promptly did the commands respond to the duties to which they were respectively assigned.

Most vigorous were the attacks by Pickens and Eaton. Lee's movement being open to view, Brown, withdrawing his garrison and leading out two field-pieces, advanced as though he purposed delivering battle in aid of Grierson. Upon second thought deeming it too hazardous to persevere in this attempt, he checked his forward movement and confined his interposition to a cannonade which was returned by Lee, little effect being produced on either side. Finding his resistance fruitless, Grierson determined to evacuate his fort and escape with his command to Fort Cornwallis. Throwing open the gate the garrison rushed down the lagoon to the river bank and under its cover endeavored to make their way to Cornwallis. In the perilous attempt thirty were killed and forty-five were wounded and captured. Comparatively few succeeded in escaping. The major of the garrison was killed and the lieutenant-colonel

[1] The trend of this lagoon, commencing at the Beaver Dam, was generally along the present line of *Cumming* Street. Before reaching *Broad* Street it turned westwardly into what is now called *Kollock* Street, and followed the direction of that street to the Savannah River. It was known as *Campbell's Cut.*

[2] The site of this fort is now occupied, or very nearly so, by the *Riverside Mills.*

captured. After surrendering, Colonel Grierson himself was shot to death by a Georgia rifleman. So cruel had been his practices, and so odious was his character, that the troops could not be restrained from inflicting this summary punishment, wholly unjustified as it was by the rules of civilized warfare. Although a reward was offered by the American commanders for the naming and apprehension of the party by whom the deed had been committed, no disclosure occurred. Captain McCall[1] intimates that he was shot by one of the sons of the venerable Mr. Alexander in revenge for the indignities heaped upon that aged patriot. Doubtless it was well known in the army whose hand pulled the fatal trigger; but, as the information was not officially brought to the attention of the commander, no notice was taken of the affair beyond the vain offer of the reward to which allusion has been made. "The militia of Georgia under Colonel Clarke," says the author of "Memoirs of the War in the Southern Department of the United States," "were so exasperated by the cruelties mutually inflicted in the course of the war in this State that they were disposed to have sacrificed every man taken, and with great difficulty was this disposition now suppressed. Poor Grierson and several others had been killed after surrender, and although the American commandants used every exertion and offered a large reward to detect the murderers, no discovery could be made. In no part of the South was the war conducted with such asperity as in this quarter. It often sunk into barbarity."

Although the American loss was trivial, it involved the death of Major Eaton of North Carolina, an excellent and beloved officer, who "fell gallantly at the head of his battalion in the moment of victory."

Perceiving that he had to deal with officers skilled in the art of war, and that the investing force was bent upon his capture, Colonel Brown expended every energy in adding to the security of his position. With fiendish malignity he placed in the bastion of his fort most exposed to the fire of the American rifles, the aged Alexander and other prisoners who had long pined in captivity. Among the companies closely investing Cornwallis was one commanded by Captain Samuel Alexander. It was a hellish deed, this subjecting a parent to the chances of death at the hand of a devoted son.

Nothing now remained for the Americans but, by regular approaches, to compel a surrender. Accordingly the troops were set to work with all the tools which could be collected from neighboring plantations, and with such as had been captured at Fort Galphin. Fort Cornwallis being near the Savannah River, and the bank of that stream affording additional protection to the enemy, it was resolved to break ground in that quarter and to extend the works of the besiegers towards the left and rear of the fort. Brigadier-General Pickens, with the militia, took post in the woods on the British left, while Lieutenant-Colonel Lee with his corps established himself in a large brick

[1] *History of Georgia*, vol. ii. p. 374. Savannah. 1816.

building, the mansion house of a gentleman[1] who had joined the enemy, situated just south of the confluence of the lagoon with the Savannah River.

The condition of the wounded prisoners required medical stores and attention which could not be supplied in the American camp. Privilege was asked to apply to Colonel Brown for this needed assistance. Pickens and Lee answered "that after the ungracious determination to stop all intercourse announced by the commandant of Fort Cornwallis, disposed as they were to obey the dictates of humanity, it could not be expected that any consideration would prevail with them again to expose the American flag to contumely." To the captive officer who preferred the request permission was granted to wait upon Colonel Brown, with the pledge that he would immediately return so soon as his reply was had. A letter was prepared expressing the regret with which the American commanders allowed a flag to pass from their camp, though borne by a British officer, after the treatment experienced on a recent occasion, and assuring the commandant of Fort Cornwallis "that no consideration affecting themselves or their troops would ever have led to such a condescension." To this letter Brown returned a polite response, offering excuses for his former conduct.

Although the American works progressed with commendable rapidity and began to assume formidable proportions, so level was the ground that it was found to be a very difficult matter to secure a platform sufficiently elevated to render the only reliable field-piece in camp effective in casting its projectiles within the fort. Under the circumstances it was deemed proper to construct a "Mayham tower," which had proved so valuable in the reduction of Fort Watson. Orders were issued for cutting and transporting the necessary timber.

While Colonel Brown had up to this point patiently contemplated the American approaches, the heaps of fresh earth seen day by day within the fort indicated that he had been busily engaged in some counter operations. On the 28th, at midnight, he fell with great vigor upon the American works in the river quarter and drove out the guard. It was only after a severe conflict, in which Captain Handy, commanding the support, played a conspicuous part, that the trenches were regained and the enemy forced to seek shelter in the fort. This vehement attempt to destroy the approaches induced Colonel Lee to detail his infantry for their protection during the night time. To this special service were they assigned, being relieved from all other duty. "On the succeeding night Brown renewed his attempt in the same quarter, and, for a long time, the struggle was continued with mutual pertinacity till at length Captain Rudolph, by a combined charge, with the bayonet cleared the trenches, driving the enemy with loss into his stronghold."

During the night of the 30th, and on the ensuing day, the tower was raised nearly on a level with the parapet of the fort. Its interior was filled

[1] Probably Mr. Edward F. Campbell.

with fascines, earth, stone, brick, and every available material calculated to impart strength and solidity to the structure. "At the same time the adjacent works in rear of the fort were vigorously pushed to the enemy's left to connect them with the tower which was the point of their termination."

Perceiving the danger which threatened, Brown resolved to destroy this tower. In anticipation of the execution of such a purpose the lines in that quarter were doubly manned, and Handy's infantry was conveniently posted in support. Captains Handy and Rudolph were placed in charge of the lines, and a company, armed with muskets, was detailed for the protection of the tower. Before midnight, on the 31st of May, the British commander, with the strength of his garrison, made a desperate sortie against the American works, which, although it entailed considerable loss, was eventually repulsed. Foiled in his efforts, he resorted to the construction of an elevated platform in the angle of his fort just opposite the "Mayham tower." Upon it two of his heaviest pieces of ordnance were mounted. With these he opened fire upon the tower. Regardless of this annoyance, the builders continued their labors. On the 1st of June the tower was completed, an ambrasure cut, and the six-pounder gun lifted into position. From its elevated platform this gun speedily dismounted the two pieces in the fort, raked its interior, and commanded it entirely, with the exception of the segment nearest the tower and a few points sheltered by traverses. Wishing to shun needless slaughter, and confident that their operations would speedily eventuate in the reduction of Fort Cornwallis, General Pickens and Colonel Lee, on the 31st of May, sent a flag to Colonel Brown covering this communication:

"SIR,—The usage of war renders it necessary that we present you with an opportunity of avoiding the destruction which impends your garrison.

"We have deferred our summons to this late date to preclude the necessity of much correspondence on the occasion. You see the strength of the invading forces, the progress of our works: and you may inform yourself of the situation of the two armies by inquiries from Captain Armstrong of the Legion who has the honour to bear this."

Colonel Brown's response was characteristic of the man:

"GENTLEMEN,—What progress you have made in your works I am no stranger to. It is my duty and inclination to defend this place to the last extremity."

Balked in his attempts to destroy the "Mayham tower" by force of arms, Brown resorted to the following stratagem. During the night of the 1st of June a wily Scotchman, a sergeant of artillery, made his appearance in the American camp in the character of a deserter from Fort Cornwallis. Brought before General Pickens and Colonel Lee, and being interrogated with regard to the effect produced by the six-pounder gun and as to the situation of the enemy, he answered that the erection of the tower gave an advantage which,

if properly improved, would not fail in forcing a surrender, but that the garrison had not suffered as much as might have been expected. He added that it was amply supplied with provisions and that it was in high spirits. "In the course of the conversation which followed," says Colonel Lee, "I inquired in what way could the effect of the cannonade be increased? Very readily, replied the crafty sergeant: that knowing the spot where all the powder in the fort was deposited, with red hot balls from the six-pounder, directed properly, the magazine might be blown up. This intelligence was received with delight, and the suggestion of the sergeant seized with avidity, although it would be very difficult to prepare our ball as we were unprovided with a furnace. It was proposed to the sergeant that he should be sent to the officer commanding our battery and give his aid to the execution of his suggestion, with assurances of liberal reward in case of success. This proposition was heard with much apparent reluctance, although every disposition to bring the garrison to submission was exhibited by the sergeant who pretended that Brown had done him many personal injuries in the course of service. But, he added, it was impossible for him to put himself in danger of capture, as he well knew he should be executed on a gibbet if taken.

"A good supper was now presented to him with his grog: which, being finished, and being convinced by the arguments of Lee that his personal safety could not be endangered as it was not desired or meant that he should take any part in the siege, but merely to attend at the tower to direct the pointing of the piece, he assented, declaring that he entered upon his task with dire apprehensions, and reminding the lieutenant colonel of his promised reward. Lee instantly put him in care of his adjutant to be delivered to Captain Finley, with the information communicated, for the purpose of blowing up the enemy's magazine.

"It was midnight, and Lieutenant Colonel Lee expecting on the next day to be much engaged—our preparations being nearly completed,—retired to rest. Reflecting upon what had passed, and recurring to the character of his adversary, he became much disquieted by the step he had taken, and soon concluded to withdraw the sergeant from the tower. He had not been many minutes with Captain Finley before an order remanding him was delivered, committing him to the quarter guard."[1]

Fortunate was it that this pretended deserter was quickly placed in confinement. It subsequently transpired that he had been sent out by Colonel Brown for the express purpose of destroying by fire the Mayham tower. Colonel Lee at first was entirely deceived by him, and unwittingly issued an order which exactly coincided with the scheme of the sergeant and afforded him a favorable opportunity of fulfilling his mission.

[1] Lee's *Memoirs of the War in the Southern Department of the United States*, vol. ii. pp. 105-107. Philadelphia. 1812.

On the morning of the 2d of June the besiegers were saluted with another exhibition of the activity and strategy of the British commander which came very near inflicting frightful loss. Between the quarters of Colonel Lee and the fort stood four or five deserted houses, some of them so near the latter that they would afford convenient shelter to riflemen delivering their fire from the upper stories. They had been suffered to remain because Pickens and Lee hoped to utilize them upon the final assault for which preparations were being made. Sallying out just before the break of day, Colonel Brown burned all of these dwellings save the two nearest the fort. Why these were spared many were at a loss to conjecture. The reason became manifest at a later stage of operations.

Still desirous of compassing a surrender without resorting to an assault, General Pickens and Colonel Lee, on the 3d of June, repeated their summons in the following language:

"SIR,—It is not our disposition to press the unfortunate. To prevent the effusion of blood, which must follow perseverance in your fruitless resistance, we inform you we are willing, though in the grasp of victory, to grant such terms as a comparative view of our respective situations can warrant.

"Your determination will be considered as conclusive, and will regulate our conduct."

Still unyielding, and with characteristic boldness courting the chances of the future, Brown responded:

"FORT CORNWALLIS, *June* 3, 1781.

"GENTLEMEN,—I have the honour to acknowledge the receipt of your summons of this day, and to assure you that, as it is my duty, it is likewise my inclination, to defend this post to the last extremity."

The fire of the six-pounder gun was mainly directed against the parapet of the fort fronting on the river. Toward that quarter it was proposed that the main attack should be launched. Orders were issued for a general assault at nine o'clock on the morning of the 4th. During the night of the 3d the best marksmen from Pickens' militia were sent to the house nearest the fort. The officer in command was instructed to arrange his men in the upper story so as to ascertain how many of them could be used to advantage, and then to withdraw and report to the commanding general. It was intended that this structure should be occupied by the same officer with such a force of riflemen as he should declare to be sufficient. To Handy's Marylanders and the infantry of the legion was the main assault from the river quarter entrusted. Due preparation having been made, the troops remained at their stations, "pleased that the time was near which would close with success their severe toils."

"About three in the morning of the 4th of June," says Colonel Lee,[2] "we

[2] *Memoirs of the War in the Southern Department of the United States*, vol. ii. p. 109. Philadelphia. 1812.

were aroused by a violent explosion which was soon discovered to have shattered the very house intended to be occupied by the rifle party before daybreak. It was severed and thrown into the air thirty or forty feet high; its fragments falling all over the field. This explained at once not only the cause of Brown's omitting its destruction, but also communicated the object of the constant digging which had, until lately, employed the besieged.

"Brown pushed a sap to this house which he presumed would be certainly possessed by the besieger when ready to strike his last blow; and he concluded, from the evident maturity of our works and from the noise made by the militia when sent to the house in the first part of the night for the purpose of ascertaining the number competent to its capacity, that the approaching morning was fixed for the general assault. Not doubting but the house was occupied with the body destined to hold it, he determined to deprive his adversary of every aid from this quarter: hoping too, by the consternation which the manner of destruction could not fail to excite, to damp the ardor of the troops charged with storming."

It was indeed a narrow escape. Even in his extremity Brown was fruitful in resources. His resolution never forsook him, and his blows were vigorous to the last.

As the army was waiting the signal for the assault, the American commanders, moved by the perilous situation of the captives, who had long been held in confinement within the fort, made this appeal to its commanding officer:

"HEADQUARTERS, *June* 4, 1781.

"SIR,—We beg leave to propose that the prisoners in your possession may be sent out of the fort, and that they may be considered yours or ours as the siege may terminate.

"Confident that you cannot refuse this dictate of humanity and custom of war, we have only to say that any request from you a similar nature will meet with our assent."

It was urged in vain, as the following response testifies:

"GENTLEMEN,—Though motives of humanity, and a feeling for the distresses of individuals, incline me to accede to what you have proposed concerning the prisoners with us, yet many reasons to which you cannot be strangers forbid my complying with this requisition.

"Such attention as I can show, consistently with good policy and my duty, shall be shown to them."

Before an advance was ordered, an officer with a flag was seen approaching from Fort Cornwallis. He bore this message from Colonel Brown to General Pickens and Colonel Lee:

"GENTLEMEN,—In your summons of the 3d instant, no particular conditions were specified: I postponed the consideration of it to this day.

"From a desire to lessen the distresses of war to individuals, I am inclined to propose to you my acceptance of the inclosed terms, which, being pretty similar to those granted to the commanding officers of the American troops and garrison in Charlestown, I imagine will be honourable to both parties."

It being now manifest that a surrender would be compassed without a final appeal to arms, operations were suspended for the day, and the commanding officers turned their attention to negotiations which culminated on the following morning in the proposal and acceptance of these articles of capitulation:

"ARTICLE I. That all acts of hostilities and works shall cease between the besiegers and besieged until the articles of capitulation shall be agreed on, signed, and executed, or collectively rejected,

"*Answer.* Hostilities shall cease for one hour; other operations to continue.

"ARTICLE II. That the fort shall be surrendered to the commanding officer of the American troops such as it now stands. That the King's troops, three days after signing the articles of capitulation, shall be conducted to Savannah with their baggage, where they will remain prisoners of war until they are exchanged: that proper conveyances shall be provided by the commanding officer of the American troops for that purpose, together with a sufficient quantity of good and wholesome provisions till their arrival in Savannah.

"*Answer.* Inadmissible. The prisoners to surrender field prisoners of war. The officers to be indulged with their paroles: the soldiers to be conducted to such place as the commander-in-chief shall direct.

"ARTICLE III. The militia now in garrison shall be permitted to return to their respective homes, and be secured in their persons and properties.

"*Answer.* Answered by the second article, the militia making part of the garrison.

"ARTICLE IV. The sick and wounded shall be under the care of their own surgeons, and be supplied with such medicines and necessaries as are allowed in the British hospitals.

"*Answer.* Agreed.

"ARTICLE V. The officers of the garrison, and citizens who have borne arms during the siege, shall keep their side arms, pistols, and baggage which shall not be searched, and retain their servants.

"*Answer.* The officers and citizens who have borne arms during the siege shall be permitted their side arms, private baggage and servants; their side arms not to be worn, and the baggage to be searched by a person appointed for that purpose.

"ARTICLE VI. The garrison at an hour appointed shall march out, with shouldered arms and drums beating, to a place to be agreed on where they will pile their arms.

"*Answer.* Agreed. The judicious and gallant defence made by the garrison entitles them to every mark of military respect. The fort to be delivered up to Captain Rudolph at twelve o'clock, who will take possession with a detachment of the Legion infantry.

"ARTICLE VII. That the citizens shall be protected in their persons and properties.

"*Answer.* Inadmissible.

"ARTICLE VIII. That twelve months shall be allowed to all such as do not choose to reside in this country, to dispose of their effects, real and personal, in this Province, without any molestation whatever, or to remove to any part thereof as they may choose, as well themselves as families.

"*Answer.* Inadmissible.

"ARTICLE IX. That the Indian families now in garrison shall accompany the King's troops to Savannah, where they will remain prisoners of war until exchanged for an equal number of prisoners in the Creek or Cherokee nations.

"*Answer.* Answered in the second article.

"ARTICLE X. That an express be permitted to go to Savannah with the commanding officer's dispatches, which are not to be opened.

"*Answer.* Agreed.

"ARTICLE XI. (Additional.) The particular attention of Colonel Brown is expected towards the just delivery of all public stores, moneys, &c, and that no loans be permitted to defeat the spirit of this article.

"Signed at Headquarters, Augusta, June 5th, 1781, by

ANDREW PICKENS, *B. G. Mil.*
HENRY LEE, Junr, *Lieut. Col. com.*
THOMAS BROWN,
Lieut. Col. commanding King's troops at Augusta."[1]

The postponement of the surrender until the 5th was very gratifying to Colonel Brown, as the 4th was the anniversary of the birthday of the king.

For some time prior to this capitulation, so destructive was the fire maintained by the Americans, especially from the six-pounder gun mounted in the "Mayham tower" which searched almost every part of the fort, that the besieged were compelled to dig holes in the earth for their protection. Any exposure of the person during the day involved almost certain death.[2] At eight o'clock on the morning of the 5th the British garrison, some three hundred strong, marched out of Fort Cornwallis and Major Randolph took possession of it. Captain Armstrong of the dragoons, with a safeguard, was detailed to

[1] See Ramsay's *History of the Revolution of South Carolina*, vol. ii. p. 497. Trenton. MDCCLXXXV. Tarleton's *History of the Campaigns of* 1780 *and* 1781, etc., p. 493. London. MDCCLXXXVII. Lee's *Memoirs of the War in the Southern Department of the United States*, vol. ii, p. 115. Philadelphia. 1812.

[2] See Ramsay's *History of the Revolution of South Carolina*, vol. ii., p. 239. Trenton MDCCLXXXV.

protect Colonel Brown from the threatened violence of the militia who, justly incensed at his many bloody deeds and acts of tyranny, eagerly sought his life. Young McKay, whose brother had been inhumanly put to death by Brown at Wiggin's Hill, watched an opportunity to shoot the British commander. He was conducted to Colonel Lee's quarters where he remained until the next day, when he and a few of his officers were paroled and sent down the river to Savannah under the charge of Captain Armstrong and a party of infantry instructed to guard him until he was beyond the reach of danger. At Silver Bluff he was recognized by Mrs. McKay who accosted him thus: "Colonel Brown, in the late day of your prosperity I visited your camp and on my knees supplicated for the life of my son, but you were deaf to my entreaties. You hanged him, though a beardless youth, before my face. These eyes have seen him scalped by the savages under your immediate command, and for no better reason than that his name was McKay. As you are now prisoner to the leaders of my country, for the present I lay aside all thoughts of revenge; but when you resume your sword I will go five hundred miles to demand satisfaction at the point of it for the murder of my son."[1]

The loss sustained by the British was fifty-two killed and three hundred and thirty-four wounded and captured. Sixteen of the Americans were slain and thirty-five wounded.

Shortly after the capitulation General Pickens and Colonel Lee, with the prisoners, crossed the Savannah River and joined General Greene, who was still conducting the investment of Ninety-Six. Heartily welcomed were these officers and their commands. To them was General Greene pleased to express in general orders "the high sense he entertained of their merit and service." His thanks were also publicly rendered for the "zeal and vigor exhibited in the execution of the duty assigned to them."

To Major James Jackson, whose early exertions paved the way for the final reduction of the post, was the command of Augusta entrusted. Here he remained, with occasional absences on important enterprises, until the assembling of the Legislature in August, 1781, when Dr. Nathan Brownson was elected governor, and Colonel John Twiggs, in consideration of his long and meritorious services, was complimented with the commission of brigadier-general.[2] Meanwhile, acting under authority conferred by General Greene, he had raised a partisan legion in command of which he continued until the close of the war.

Among the stores in Fort Cornwallis, subject to distribution among the captors, was a quantity of Indian goods. It being found impracticable to divide them out without encumbering too much the troops still engaged in

[1] Ramsay's *History of the Revolution of South Carolina*, vol. ii., p. 240. Trenton. MDCCLXXXV.

[2] See Charlton's *Life of Jackson*, Part I., p. 34. Augusta. 1809.

active service, that portion falling to the lot of the Georgians was placed in the hands of John Burnet, with directions to transport these goods to some safe place in the western part of the State where they were to be kept until a suitable opportunity arose for their equitable distribution. Burnet always professed an ardent attachment to the American cause. Under pretense of harassing the loyalists in the low country, he had recently, with some followers, visited some of the wealthy settlements south of Savannah and indiscriminately robbed friends and foes of their slaves and personal property. He then held in the vicinity of Augusta some sixty negroes whom he had thus captured. Professing that he had taken them from loyalists, and offering to throw them into hotch-pot with the goods so that a more generous dividend might be declared to Georgia soldiers who, during the war, had borne heavy burthens and sustained grievious losses, he so won the confidence of officers and men that the booty was delivered into his custody. Undertaking to remove it beyond all possible recaption by the enemy, he journeyed towards the mountains of Upper Georgia. Once fairly out of reach, he disclosed to his companions his design of quitting the country and appropriating this spoil. Sympathizing in the rascally purpose, they assisted him in making his way to the Ohio River where, procuring boats, they passed down to Natchez and there divided the stolen property.[1] Thus were the Georgia troops who participated in the reduction of Augusta defrauded out of their share of the booty.

The capture of Augusta, while it raised the spirits of the republicans to a high pitch of exultation and encouraged the faint-hearted to emerge from their hiding-places and stand up like men in the ranks of the Revolutionists, exerted a most depressing influence upon the minds and hopes of the king's servants. Governor Wright, at Savannah, called so lustily for aid that Lord Rawdon, weak as he was, was persuaded to part with the king's American regiment and send it from Charlestown, in small craft and without convoy, to the relief of that royal governor.[2] In this wise did he give expression to his distresses and apprehensions: "It gives me the greatest concern to acquaint you of the loss of Augusta by Colonel Brown being reduced to the necessity of capitulating, and as you well know the consequences that must be attendant on this I need say little, but must observe that if this Province is not recovered from the Rebels without the least delay I conceive it may be too late to prevent the whole from being laid waste and totally destroyed and the people ruined. We are now in a most wretched situation. I shall not reflect on the causes, but the grand point is to recover back what we have lost, if it be possible, and to prevent further misfortunes and injury to his Majesty's service.

. . . . . .

"Our distresses are many, and how to furnish the militia on actual duty

[1] See McCall's *History of Georgia*, vol. ii., p. 380. Savannah, 1816.

[2] Tarleton's *Campaigns of* 1780 *and* 1781, etc., p. 486. London. MDCCLXXXIVII.

with rations I can't tell, for there is not a single barrel of beef or pork to be purchased here, even if I had the *money* to buy it. I trust therefore, Sir, that circumstanced as we are you will think it for his Majesty's service and really necessary to order some of the King's provisions here for the support of the militia on actual service, the number of which, I think, will be at least what is mentioned in the Minute of Council, besides those in and about town which, I suppose, amount to 300."[2]

CHAPTER XII.

Military Operations Culminating in the Surrender of Savannah — Plot to Murder Colonel Jackson — Celebration in Augusta upon the Acknowledgment of the Independence of the United States — Charge of Chief-Justice Walton — Early Legislation Affecting Augusta — The City of Augusta Incorporated in 1798 — Trustees, Intendants, and Mayors of Augusta.

THE capture of Augusta was a terrible blow to British domination in Georgia. It foreshadowed the eventual triumph of Republican arms. Sir James Wright recognized the handwriting on the wall, and confessed in his dispatches that everything was "now in a most wretched situation." He freely confessed that unless his majesty's forces were capable of speedily recovering what had been lost, further misfortunes and injury would ensue.

The upper portion of Georgia being now under full control of the Republicans, General Twiggs directed his attention to the repossession of the Southern division. To this end he ordered Lieutenant-Colonel James Jackson to move with his Georgia legion, consisting of three companies of cavalry and two of infantry, in the direction of Savannah, and to occupy positions as near the enemy as becoming caution would suggest. His general instructions were to annoy the outposts and detachments of his antagonist as fully as the means at command would allow, and to retreat or advance as the circumstances of the case might justify.

Jackson's legion was composed in part of British deserters and Loyalists, who, professing a change of political sentiments, had abandoned the service of the king. Dangerous and unreliable was this element. For its efficient control strict discipline and tireless vigilance were required. Not long before the receipt of these orders, and while Colonel Jackson was still in command at Augusta, a nefarious plot was discovered which had been formed by a portion of his legion. The scheme was to assassinate the commanding officer in an unguarded moment and, seizing the governor and as many members of the

[2] *Letter to Lieutenant-Colonel Balfour*, dated Savannah, 11th of June, 1781. P. R. O., Am. & W. Ind., vol. ccxcvii.

executive council as were present in the town, to carry them off and turn them over to the British authorities in Savannah. This plan was quietly communicated to General Alured Clarke, commanding at Savannah. He cordially sympathized in it; and, as a substantial proof of his approval, ordered Captain Brantley with forty-five men to proceed cautiously to the outskirts of Augusta, join the conspirators under cover of night, and co-operate with them in the consummation of the nefarious project. Liberal rewards were also offered by him as a stimulus to the perpetration of the crime.

The manner in which this iniquitous design was frustrated is thus told by Captain McCall:[1] "A faithful soldier named David Davis, who was the Colonel's waiter, discovered that there was something in agitation of an extraordinary nature in the camp; and, in order to obtain a knowledge of the secret, affected an extreme dislike to the Colonel, and united with the conspirators in the use of the most unqualified language of abuse and disrespect for him. Supposing that Davis' situation would enable him to be of great service to the party, they lent a favorable ear to his observations. This stratagem had the desired effect, and drew from the traitors a disclosure of the diabolical purposes in contemplation, which he immediately communicated to his Colonel, and informed him that no time was to be lost in checking its progress, as it was ripe for execution. The dragoons, who did not appear to have been engaged in the conspiracy, were ordered to mount their houses and repair to Colonel Jackson's quarters, prepared for action. The infantry were ordered to parade without arms, under pretence of searching for some clothing which had been stolen the preceding night. The dragoons were ordered in front with drawn swords, and the ring leaders were seized and confined. A general court martial was ordered to convene, and the culprits were brought up for trial. John Goodgame, William Simmons, and one Honeycut were ascertained to be the projectors and leaders in the conspiracy. The court found them guilty of treason and sentenced them to suffer death by being hanged, and they were executed accordingly. The remaining seventeen turned State's evidence, confessed their guilt, and were pardoned in consequence of their apparent penitence."

Thus narrowly did a gallant officer escape assassination. Thus, almost as by accident, was preserved the life of a patriot who had already rendered signal service in the army of the Revolution, and who, in after years, as soldier, citizen, advocate, senator, and chief magistrate of Georgia, illustrated in a conspicuous degree all the virtues which appertain to the civilian, the hero, and the statesman.

By the Legislature of Georgia was Davis complimented for his fidelity to his commander and his attachment to the cause of liberty. In token of the

[1] *History of Georgia*, vol. ii. p. 384. Savannah. 1816.

general approval of his conduct he was presented with five hundred acres of valuable land, and with a handsome horse, saddle and bridle.

Captain Brantley had reached Spirit Creek in the execution of his mission when he learned that the plot had been discovered. Thereupon he hastily returned to Savannah.

In equipping his legion Colonel Jackson depended upon the skill and industry of his own men. Upon the back of a letter addressed to him by Thomas Hamilton, one of his infantry officers, appears this statement in the handwriting of the colonel: "I made all my own accoutrements, even to swords for my dragoons, caps, leather jackets, boots, and spurs, and in short every article."[1] What proof more convincing can be offered of the limited resources of this war-worn land, or of the necessities and the ingenuity of its resolute defenders?

The spring and summer of 1781 were enlivened by several naval exploits on the coast, in which Captains Howell, McCleur, Antony, and Braddock, bore conspicuous parts. The end was now approaching. "It is all over!" exclaimed Lord North with the deepest agitation and distress when the tidings of the surrender of Lord Cornwallis first reached England.

The potent effect of this disaster, and the recent successes of General Greene in South Carolina, enabled that officer, in January, 1782, to turn his attention to the relief of Georgia. Lieutenant-Colonel James Jackson had been harassing the enemy on the Great Ogeechee, while Pickens and Twiggs had kept the Indians at bay. All eyes were now turned to circumscribing the British forces within the narrowest compass. The repossession of Savannah engaged the earnest attention of the patriots. General Wayne was detached by General Greene "to reinstate, as far as possible, the authority of the Union within the limits of Georgia." On this mission the hero of Stony Point was accompanied by one hundred of Moylan's dragoons, commanded by Colonel Anthony Walton White, and a detachment of field artillery. On the 12th of January, 1782, he crossed the Savannah River. He was soon joined by Colonel Hampton with three hundred mounted men of Sumter's brigade. The infantry and cavalry of Jackson's legion then numbered only ninety men. McCoy's volunteers did not exceed eighty men of all arms. To these Governor Martin hoped to add three hundred Georgia militia.

The duty assigned to General Wayne of maintaining a close watch upon the enemy, and, if the occasion offered, of capturing Savannah by a nocturnal assault, was so efficiently discharged that predatory bands of soldiers and loyalists were seldom seen beyond the lines of that town. The customary intercourse of the Indians with the garrison was restrained. That garrison—including a reinforcement recently sent by Lord Rawdon, and a corps of one hundred and fifty negroes, armed, enrolled as infantry, and commanded by the notorious Brown,—consisted of thirteen hundred regular troops and about five

[1] See Charlton's *Life of Jackson*, part i. p. 37. Augusta. 1809.

hundred loyal militia. The town was strongly fortified. Its land approaches were defended by field and siege guns judiciously posted. Armed row-galleys and brigs covered the water front. So closely were these lines watched, and so strictly were the British forces confined to these defenses, that the gallant Jackson on more than one occasion demonstrated even up to the town gates and picked off men and horses from the common.

As soon as the advance of the American forces under General Wayne was known in Savannah, Brigadier-General Alured Clarke, who commaded the royal troops in Georgia, "directed his officers charged with his outposts to lay waste the country with fire, and to retire with their troops, and all the provisions they could collect, into Savannah." This order was rigidly executed, and the circumjacent country was so thoroughly devastated that General Wayne found it necessary to draw his subsistence from South Caroilna. In April Colonel Posey arrived with one hundred and fifty Virginians.

In May, General Wayne met and routed Colonel Brown at Little Ogeechee Causeway; and, on the 23d of June, after a severe encounter, he overcame the Indian chief Guristersigo, who, with three hundred followers, endeavored, at the dead of night, to surprise him at Gibbons' plantation.

A crisis was reached in the royal camp at Savannah upon the receipt of a communication from Sir Guy Carleton, dated New York, May 23, 1782, ordering the evacuation both of that town and of the province of Georgia, and notifying the authorities that transports might be speedily expected to bring away not only the troops and military and public stores, but also Governor Wright and all loyalists who desired to depart. Although anticipated, this intelligence created a profound impression among soldiers and civilians. The latter were most anxious to ascertain what their status would be under the changed condition of affairs, and to secure pledges that they would be unmolested in the enjoyment of personal liberty and private property. Various negotiations ensued, which resulted in the evacuation of Savannah by the king's forces on the 11th of July, 1782. During the afternoon of that day General Wayne entered with his forces and took formal possession of the town. To Colonel Jackson were the keys delivered at the principal gate in token of surrender. He enjoyed the pleasure and the honor of being the first to enter Savannah, from which the patriots had been forcibly expelled in December, 1778. It was a just recognition of the patriotism and gallantry which characterized him during the war, and of the activity displayed by him as the leader of the vanguard of the army of occupation. Thus, after the lapse of three years and a half, was the capital of Georgia wrested from the dominion of the royal forces and restored to the possession of the "Sons of Liberty." With the departure of the British garrison there lingered not a single servant of the king on Georgia soil. Although no treaty of peace had yet been consummated between England and America, this surrender of Georgia into the hands of the Repub-

licans was hailed as a practical abandonment of the war on the part of the Realm, and was regarded as an earnest of a speedy recognition of the independence of the United States. And so it proved.

By the General Assembly which convened in Savannah in January, 1783, that sterling patriot and worthy gentleman, Dr. Lyman Hall, was elected governor of Georgia. On the 31st of that month George Walton was selected to fill the position of chief justice; Samuel Stirk, was appointed attorney-general; John Martin, treasurer; John Milton, secretary of State; Richard Call, surveyor-general; and registers of probate and assistant justices were named for the respective counties. Land offices were established, and commissioners were designated to superintend the sales of confiscated property. Temples of justice and religion were again to be opened in a land full of scars and desolation. Provision was made for public education, and the entire machinery of State government was put in motion.

So sadly had Augusta suffered by the disasters of war that it became necessary to provide quarters for the governor and the heads of departments, and a proper place for the accommodation of the general assembly. This was done while the Legislature temporarily convened at Savannah. In July, 1783, the general assembly again met in Augusta, and continued to hold its sessions in that town until Louisville, in Jefferson county, was designated as the "seat of government" in 1795.

In the *Georgia Gazette* of Thursday, May 29, 1783, we find the following: "On Wednesday last, when the great and joyful news of Peace reached this place,[1] properly authenticated, a very elegant and sumptuous entertainment was provided, when upwards of three hundred ladies and gentlemen dined under a large bower made for the purpose. At one o'clock there were thirteen discharges of cannon, and after dinner the following toasts were drank, each succeeded by the firing of artillery:

1. The Free, Sovereign and Independent States of America.
2. The Governor and the State.
3. His Most Christian Majesty, our First, Good and Generous Ally.
4. His Catholic Majesty.
5. The United Provinces of Holland.
6. Congress of the United States.
7. His Excellency, General Washington.
8. The Hon. General Greene.
9. The American Officers and Army who have established the Liberty thereof.
10. The Officers and Seamen of the American Navy.
11. Compte Rochambeau, his Officers and Army who have served in America.

[1] Augusta.

12. The American Commissioners for making Peace.

13. May the Liberties of America be as lasting as Time.

The company retired to Mr. Fox's, where there was a ball and supper. The evening concluded with illuminations, bonfires, rockets and every other demonstration of joy suitable to the occasion, and with the greatest peace and harmony."

In his charge to the grand jury of Richmond county,[1] delivered on the 31st of October, 1783, Chief Justice George Walton, said: "There is no county in the State which ought to pride itself more on account of its natural advantages than that of Richmond. The principal navigation terminating in it, presents a most commodious and delightful spot for an extensive commercial town. It is to me a gratification to be able to inform you that the Legislature, at its last session in Augusta, passed a law upon the most liberal basis for extending and speedily building up that town. It is your interest, as it is your duty, to watch and see that that law is certainly and faithfully executed. Augusta thus extended and built up, will soon become the mart of the whole country above it, and by furnishing plentiful supplies it will be a great convenience to the people.

"In addition to this the assembly has ordered an academy to be erected for the instruction of youth—an institution which will record the names of its advocates in letters of virtue and applause to the latest posterity. The entire loss of education, and the great decline of morality, are the chief calamities which we now experience as consequences of the war."

The chief justice was right in his prognostication. By virtue of her location Augusta held the key which unlocked a vast trade with the dwellers in the "ceded lands," in regions beyond, and in a circumjacent territory of rich proportions;—a trade destined to increase in volume and importance with each succeeding year. In the absence of railways, the Savannah River constituted a convenient highway for commerce, the value of which could not be overestimated. Only enterprise and capital were wanting to place the town upon a vantage ground most enviable. These were quickly furnished; and in proportion to the population which she then possessed, we presume it would not be an exaggeration to affirm that the town of Augusta never saw days of greater commercial prosperity than those which she enjoyed during the last decade of the eighteenth century. For a hundred years and more the academy, to which the chief justice alluded, has been fulfilling its high mission.

Of the early legislation affecting Augusta, the following acts may be regarded as among the most important:

By an act of the General Assembly, approved March 15th, 1758, the province of Georgia was divided into eight parishes, and "The District of Augusta, extending from the northwest boundary of the parish of Saint George, and

[1] *Georgia Gazette* Thursday, November 20, 1783.

southwest as far as the River Ogeechee, and northwest up the River Savannah as far as Broad River," was designated as the PARISH OF SAINT PAUL. In the IV section of that act it was provided that "the church erected in the town of Augusta, with the cemetery or burial place thereto belonging, shall be the Parish Church and Burial Place of Saint Paul."

Ten years afterwards legislative sanction was obtained for the establishment of a public ferry "from the center of the town of Augusta, upon Savannah River, to the bluff on the opposite shore in the Province of South Carolina."

By the Constitution of 1777, Parishes were abolished, and Counties were erected in their stead. Under this change the Parish of Saint Paul became the COUNTY OF RICHMOND, and was declared entitled to ten representatives. In naming the counties the Constitutional Convention was not unmindful of the debt of gratitude which Georgia, in common with her sister American colonies, owed to distinguished statesmen and friends in England who were espousing the cause of justice, humanity, and liberty.

In 1780, Savannah and the seaboard generally being in the possession of the king's forces, "the town of Augusta in the county of Richmond" was designated as "the seat of government," with a proviso that in case that town should, during the recess of the legislature, "be approached or invested so as to appear untenable, then his Honor, the Governor, and the Executive Council for the time being, should remove to such place as the common safety should make necessary, which should be considered as the seat of government until the recovery of the said town of Augusta."

By the same act lot owners within the limits of Augusta, deriving title from the Crown, were required, within two years after the passage of the act, to build upon their respective lots houses of prescribed dimensions, or else forfeit them to the use of the State. The vacant lands above and below the town, lying along the river and adjoining the premises of McCartan Campbell on the west and Andrew McLean on the east, were "to be laid out in lots and sold for the use of the State in order to enlarge the limits of the town." When divided into lots of prescribed dimensions, this territory was to be disposed of "at public vendue in Augusta by the sheriff of the county." To the purchasers the governor was empowered to sign grants in the name of the State. It was further ordered that the streets and roads of Augusta should be *laid out, measured, and posted in the best and most regular way.* "The remote situation of Brownsboro rendering it a very unsafe place for a Gaol and Court-House," it was enacted that "a Court-House and Gaol for the County of Richmond be built in the Town of Augusta on one of the public lots in Broad Street. . . . and that all malefactors should be there confined and tried, and that suits at law should be there heard and determined during the present war," Reservations of lots were indicated for the location of "public seminaries and schools," for "Houses of Public worship," and for "public cemeteries."

William Glascock, George Walton, Daniel McMurphy, John Twiggs, and George Wells Esquires, were named as commissioners to carry into effect the provisions of this act.

The contemplated sale of lots having miscarried, a new commission—consisting of George Walton, Joseph Pannel, Andrew Burns, William Glascock, and Samuel Jack Esquires, was appointed by act of the Legislature, approved July 31st, 1783, to lay out and sell the reserved lands in and near the town of Augusta.

Sections IV and VII of this act made provision for the location, erection, and support of the "Academy or Seminary of Learning" which has so long ministered to the educational wants of this community. The designated commissioners were also charged with the direction of the public ferry at Augusta.

By the third section of the act assented to January 26th, 1786, Augusta was continued as the place of meeting for the Legislature; and the Governor, the Secretary of State, the Treasurer, the Surveyor General, and the Auditor were required to reside and have their respective offices here until the State house and public buildings authorized to be constructed at Louisville, in Jefferson County, under the supervision of Nathan Bronson, William Few, and Hugh Lawson,—commissioners,—should be completed and declared ready for occupancy.

On the 6th of December 1790 the General Assembly invested Wade Hampton, his heirs and assigns, with the exclusive right of erecting and maintaining a toll-bridge over the Savannah River at or near the ferry previously established between the town of Augusta and the Carolina shore, upon the annual payment of a certain sum to George Walton, William Glascock, Abraham Baldwin, Robert Forsyth, Edward Telfair, Seaborn Jones, and John Milton, Esquires, Trustees of Augusta, and their successors in office.

Three days afterwards an act was passed dividing the territory of Richmond County into two counties. All that portion lying above or northwesterly of a line commencing on the Savannah River at the mouth of Red's Creek and thence running south forty-five degrees west, was erected into a new county called Columbia. George Handley, John Meals, and Robert Forsyth Esquires were designated as commissioners to select a site within the town of Augusta whereon to erect "a Court House and a Gaol," and to supervise the construction of those buildings.

On the 15th of December 1791 the Corporation of the Town of Augusta was vested with the power of regulating the proposed county "Court House and Gaol."

By an act of the General Assembly, approved the 18th of February 1796, the Trustees of Augusta were required to make uniform the width of Broad Street which, between Washington and Lincoln streets, was sixty-four feet wider than at other points along its line.

Cornelius Dysart, Samuel Jack, Dennis Smelt, Isaac Herbert, James Pearre, John Springer, and Moses Waddell were declared a body corporate "by the name and style of 'The Trustees of the Augusta Meeting House,' and the Trustees of Augusta were instructed to convey to them and their successors one of the public lots within the town, containing at least one acre of ground and conveniently situated, for the purpose of erecting thereon a 'House of Public Worship to the Divine Being by whose blessing the Independence of the United States had been established.'"

Augusta having recently sustained considerable injury from a freshet in the Savannah River, the Trustees of the town were authorized to establish a Lottery, "under such scheme, regulations, and restrictions" as they might deem most expedient, in order to raise moneys with which to erect piers in such parts of the river as "would in their Judgment most effectually divert the current of the same from off the said Town."

By section VI of this act Thomas Cumming, Esqr., was named as a Trustee of the town of Augusta in the room of John Milton resigned, and Abraham Jones, Samuel Jack, and Augustus Baldwin Esquires "were added to the list of Trustees for the said Town."

The bridge, erected by Wade Hampton, over the Savannah River having been carried away "by an extraordinary fresh," the Legislature, on the 13th of February 1797, at his urgent request granted him an extension of two years within which to replace a structure so essential to the convenience and the commerce of the place.

On the 31st of January 1798 the General Assembly passed an act incorporating the "City of Augusta."[1] The preamble runs as follows: "Whereas, from the extent and population of the town of Augusta, its growing importance both with respect to increase of inhabitants and diffusive commerce, it is indispensably necessary that many regulations should be made for the

Previous to its incorporation as a "city," Augusta was governed by Commissioners, or Trustees, who exercised over the town, the Academy, public buildings, and public lands, such authority as the General Assembly appointing them saw fit to delegate and enjoin.

In 1780 the "Trustees of the Town of Augusta" were William Glascock, George Walton, Daniel MacMurphy, John Twiggs, and George Wells.

Those serving in 1783 were William Glascock, George Walton, Joseph Pannill, Andrew Burns, and Samuel Jack.

Three years afterwards, the Trustees were William Glascock, George Walton, Abraham Baldwin, Robert Forsyth, Seaborn Jones, Edward Telfair, Samuel Jack, and John Milton.

In 1790 William Glascock, George Walton, Robert Forsyth, Seaborn Jones, Abraham Baldwin, John Milton, and Edward Telfair acted as Trustees.

When the act of incorporation was assented to, Thomas Cumming, George Walker, James Pearre, Robert Creswell, Andrew Inniss, Isaac Herbert, and William Longstreet were commissioners.*

* For this list of Trustees and Commissioners I am indebted to L. T. Blome, Esqr., the courteous and efficient Clerk of Council.

preservation of peace and good order within the same: And Whereas from the many weighty and important matters that occupy the attention of the Legislature at their general meeting it has hitherto been found inconvenient, and may hereafter become more so, for them to devise, consider, deliberate on, and determine all such laws and regulations as emergencies or the local circumstances of the said Town may from time to time require:" therefore be it enacted, etc., etc.

The qualification for citizenship, the corporate name, and the territorial divisions of the municipality were specified thus: "From and immediately after the passing of this act all persons, citizens of the United States and residing one year within the said town and having a freehold or lease for years of a lot within the same or the village of Springfield, or between the said village and Town, shall be deemed, and they are hereby declared to be a body politic and corporate; and the said Town shall hereafter be called and known by the name of the CITY OF AUGUSTA, and shall be divided into the following districts, to wit: All lots situate below the cross street running from the river Savannah between the Market House and the house of Mrs. Fox to be called and known by District Number One: all the lots between the said street and the cross street running from the said River between the house of Mr. Andrew Innis and the house occupied by Collin Reed & Co. to be called and known by District number Two: and all the lots above that street, including the village of Springfield, shall be called and known by District Number Three." [1]

When organized under the provisions of this act of incorporation, the city council of Augusta was composed of the following members: Thomas Cumming, intendant; Joseph Hutchinson, clerk; George Walker, James Pearre, Robert Creswell, Andrew Innis, Isaac Herbert, and William Longstreet, councilmen. [2]

[1] *Marbury and Crawford's Digest.* pp. 136-139.

[2] INTENDANTS OF AUGUSTA.—1803-1804, John Murray; 1805, William J. Hobby; 1806, Thomas Flournoy; 1807, John B. Barnes; 1808, Freeman Walker, John Catlett; 1809-1811, Joseph Hutchinson; 1812, James T. Walker; 1812-1813, Seaborn Jones; 1814, Joseph Hutchinson; 1815-1816, Walter Leigh; 1817, Freeman Walker.

MAYORS OF AUGUSTA.—1818-1819, Freeman Walker; 1819-1821, Nicholas Ware; 1821, Richard H. Wilde; 1822, Robert Walker; 1822, Freeman Walker; 1823-1824, Robert R. Reid; 1825-1826, William W. Holt; 1826, Robert R. Reid; 1827-1836, Samuel Hale; 1837, John Phinizy; 1838, Samuel Hale; 1839, Alfred Cumming; 1840, Daniel Hook; 1841, Martin M. Dye; 1842, Daniel Hook; 1843-1845, Martin M. Dye; 1846-1847, L. D. Ford; 1848, I. P. Garvin; 1849, James B. Bishop; 1850-1851, Thomas W. Miller; 1852-1853, William E. Dearing; 1854, Abner P. Robertson; 1855, William E. Dearing; 1856, George W. Evans; 1857-1858, Benjamin Conley; 1859-1860, Foster Blodgett, jr.; 1861-1865, Robert H. May; 1866, James T. Gardiner; 1866, John Foster; 1867, Foster Blodgett, jr.; 1868, Henry F. Russell; 1869, J. V. H. Allen; 1870-1875, Charles Estes; 1876-1878, John U. Meyer; 1879-1889, Robert H. May.*

* For this list of intendants and mayors of the city of Augusta I am indebted to L. T. Blome, Esq., the courteous and efficient clerk of council.

In 1791 Augusta is said to have contained two hundred and fifty houses, and a population of eleven hundred. The public buildings consisted of a church, a court house, an academy, wherein between eighty and ninety pupils were instructed, a stone jail, a government house for the accommodation of the governor and the State officials, and three warehouses capable of storing ten thousand hogsheads of tobacco. In that year over six thousand hogsheads of tobacco were there inspected.

CHAPTER XIII.

Legislative Proceedings — Newspapers — Ratification in Augusta by the State of Georgia, of the Federal Constitution — Constitutional Convention of 1789 — Georgia Divided into Congressional Districts — President Washington's Visit to Augusta — Military Convention of August, 1793.

WHEN the Land Court was opened in Augusta by the Hon. John Habersham, president of the executive council, in May, 1784, so thronged was it by impatient applicants that the greatest disorder prevailed, and for days the regular business had to be suspended.

It was in Augusta that the Legislature perfected those liberal bills which gave to the State a university. When we remember the tender age of the commonwealth, its feebleness and destitution, when we appreciate the losses which had been sustained during the War of the Revolution, when we consider the unsettled condition of public affairs, and then appreciate the broad basis upon which this institution of learning was planted, the sound principles upon which it was founded, and the zealous efforts of its originators to make it stable and efficient, we may well claim peculiar honor for Georgia in thus making early provision for a State university, and in passing wholesome laws for securing to her sons the blessings of a liberal education on her own soil.[1] In promoting this important measure, and in the development of this most valuable scheme, the City of Angusta, through her prominent citizens, bore an enviable part. It would, perhaps, not be deemed invidious in this connection to claim the highest honors for the Hon. Abraham Baldwin.

In 1785 Augusta had made such progress that a weekly newspaper was established in the town. It was called the *Augusta Chronicle and Gazette of the State*, and was the official organ of the Commonwealth of Georgia. In 1821 it became *The Augusta Chronicle and Georgia Gazette*. The following year its name was changed to *The Augusta Chronicle and Georgia Advertiser*.

[1] See Stevens' *History of Georgia*. Vol. ii., p. 364. Philadelphia. 1859.

Thirteen years afterwards it appeared simply as the *Augusta Chronicle*. In 1837, having absorbed *The States' Rights Sentinel*, a paper edited by Judge Longstreet, author of "Georgia Scenes," it appeared as a daily newspaper under the style of *Daily Chronicle and Sentinel*. Having, in 1877, absorbed *The Constitutionalist*, which for more than eighty years had been its rival, it appeared as *The Chronicle and Constitutionalist;* and, having subsequently again changed its name, now maintains a vigorous existence as *The Augusta Chronicle*.

Early in January, 1788, occurred a political event of no ordinary significance. We refer to the ratification by the State of Georgia of the Federal Constitution. This was accomplished in Augusta on the 2d of that month:

By ordinance of the 10th of February, 1787, William Few, Abraham Baldwin, William Pierce, George Walton, William Houstoun, and Nathaniel Pendleton, esqs., were appointed commissioners to represent the State of Georgia in the convention called for the revision of the constitution of the United States. They were instructed to unite with the deputies from sister States in devising and discussing such alterations and further provisions as might be found necessary to render the Federal constitution adequate to the exigencies of the Union.

In the deliberations which ensued the Hon. Abraham Baldwin bore an active and influential part. In concluding its labors on the 17th of September, 1787, that Constitutional Convention—over which General George Washington had presided with distinguished ability—adopted a resolution that the constitution just formulated and promulgated to accomplish "a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty," should be submitted to "a convention of delegates, chosen in each State by the people thereof under the recommendation of its Legislature, for their assent and ratification; and that each convention assenting to and ratifying the same, should give notice thereof to the United States in Congress assembled."

In responding to this suggestion Georgia was not tardy. A convention was promptly called, to meet in Augusta on the fourth Tuesday in December, 1787, to consider the proposed constitution, and to adopt or reject any part or the whole thereof. Augusta was then the capital of Georgia. The following gentlemen were named as members of that important convocation: Delegates from Chatham county, William Stephens, Joseph Habersham; from Effingham, Jenkin Davis, N. Brownson; from Burke, Edward Telfair, H. Todd; from Richmond, John Wereat, William Few, James McNeily; from Wilkes, George Matthews, Florence Sullivan, John King; from Liberty, James Powell, John Elliott, James Maxwell; from Glynn, George Handley, Christopher Hillary, J. Milton; from Camden, Henry Osborne, James Seagrove, Jacob Weed; from Washington, Jared Irwin, John Rutherford; and from Greene, Robert Christmas, Thomas Daniel, R. Middleton.

John Wereat, a delegate from the county of Richmond, speaker of the Provincial Congress of 1776, a conspicuous patriot during the Revolutionary War, and, at one time, as president of the executive council, acting govornor of Georgia, presided over the convention. The delegates were, without exception, men of character, of established reputation, and of acknowledged ability. William Stephens had been the attorney-general of the State, and also its chief justice.

Joseph Habersham had been a prominent officer in the Continental army, and was afterwards complimented by General Washington with the position of postmaster-general of the United States.

Jenkin Davis and James Maxwell were delegates to the memorable Provincial Congress, which assembled at Tondee's long room in Savannah, on the 4th of July, 1775.

John Milton had borne arms in the lists of patriots, and filled the office of secretary of State.

Henry Osborne was a prominent jurist, and was advanced to the position of chief justice of Georgia.

In the catalogue of governors of Georgia appear the names of Nathan Brownson, Edward Telfair, George Matthews, George Handley, and Jared Irwin. William Few, who had been a delegate to the Continental Congress, was subsequently elected United States senator from Georgia.

The deliberations of this convention were harmonious; and, on the 2d day of January, 1788, culminated in the following ratification of the Federal constitution:

"We, the delegates of the people of the State of Georgia in convention met, having taken into our serious consideration the Federal Constitution agreed upon and proposed by the deputies of the United States in general convention held in the city of Philadelphia on the 17th day of September in the year of our Lord 1787, have assented to, ratified, and adopted, and by these presents do, in virtue of the powers and authority to us given by the people of the said State for that purpose, for and in behalf of ourselves and our constituents, fully and entirely assent to, ratify and adopt the said constitution, which is hereto annexed, under the great seal of the State."

As the formal signing of this ratification by the delegates was concluded, the joyful tidings were proclaimed to the multitude assembled opposite the State House. The huzzas of the citizens were supplemented by a salute of thirteen discharges from two field-pieces, served by a detachment from Colonel Armstrong's regiment which was then quartered in Augusta.[1]

In the order of time, Georgia was the fourth State to accept and ratify the constitution as promulgated by the convention of 1787.

The conventions whose deliberations gave to Georgia the constitution which

[1] See the *Gazette of the State of Georgia*, No. 260, Thursday, January 17, 1788.

became operative on the first Monday of October, 1789, all met in Augusta. When, having completed their labors, the members of the third constitutional convention, in a body, waited upon Governor George Walton, their president, William Gibbons, of Savannah, placed in his hands that admirable document and requested that it be deposited among the archives of the State. In the name of the convention he further asked that its provisions be formally promulgated. Upon receiving the engrossed constitution Governor Walton replied:

"Mr. President, and Gentlemen of the Convention: The constitution for the government of this State, which you now deliver to me, shall have the great seal affixed to it and be deposited in the office of the Secretary of State. It shall be announced to the people at large by proclamation, and a sufficient number of copies printed for the use of the several counties. I hope and believe that it will be productive of public good and happiness, the objects of government and of society."

The act of formally accepting the new constitution by the governor from Mr. Gibbons, the president of the convention, was announced to the town by a salute of eleven guns in honor of the eleven States which had thus far acceded to the constitution of the United States.[1]

Edward Telfair was the first governor elected under this constitution, and his inauguration took place in the House of Representatives which, if we are correctly informed, stood nearly opposite the present "Law Range" in the city of Augusta, on the 11th of November, 1789.

On the 26th of this month, a day set apart by the General Congress for public thanksgiving and prayer, in order that the people of the land might acknowledge "with grateful hearts the many and signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a form of government for their safety and happiness," the members of the General Assembly repaired to St. Paul's Church where they listened with great attention to a sermon prepared for the occasion by the Rev. Mr. Palmer, rector of the parish.

The General Assembly on the 8th of December, 1790, divided the State into three Congressional districts. The counties of Camden, Glynn, Liberty, Chatham and Effingham composed the lower; Burke, Richmond and Washington the middle; and Wilkes, Franklin and Greene the upper district. In due course James Jackson was chosen as a representative from the lower, Abraham Baldwin from the middle, and George Matthews from the upper district.

On Wednesday, the 18th of May, 1791, Augusta was honored by a visit from the *Pater Patriæ*, General George Washington, then the president of the United States. In the Augusta *Chronicle* of May 21, will be found an account of the courtesies extended and the ceremonies observed on this occasion.

[1] See Stevens' *History of Georgia*, vol. ii. p. 390. Philadelphia. 1859.

Major Ambrose Gordon, by direction of the governor, had been ordered to hold himself in readiness with a detachment of not less than fourteen volunteers, to march and escort the president, who was journeying by land from Savannah to Augusta.

The artillery was posted at the old fort with instructions, upon the approach of the president, to fire a salute of fifteen rounds.

Accompanied by Major-General Twiggs, Judge Walton, the Sheriff of Richmond county, the Secretary of State, the Treasurer, the Attorney-General, the Solicitor-General, the Surveyor-General, the Clerk of the House of Representatives, the Secretary of the Senate, and a numerous cavalcade of respectable citizens, his excellency, Governor Edward Telfair, five miles below Augusta met the President of the United States. The procession halted, and General Washington, alighting from his carriage, mounted his horse. Escorted by Major Jackson and the Federal Marshal, he then advanced to meet the Governor who moved forward attended by the Secretary of State. Governor Telfair then congratuiated the President "on his near approach to the residence of government."

This ceremony concluded, a procession was formed, and the President, amid salvos from Captain Howell's artillery, was conducted to the residence on Broad street prepared for his reception. At four o'clock he dined with the Governor—the Federal and State officers and other gentlemen being present. "The President's toast was *The State of Georgia.*" In the evening a ball in his honor was given by Mrs. Telfair.

On Thursday morning the citizens of Augusta presented the following address:

"*To the President of the United States of America:*

"SIR: Your journey to the southward being extended to the frontier of the Union, affords a fresh proof of your indefatigable zeal in the service of your country, and equal attention and regard to all the people of the United States. With these impressions, the citizens of Augusta present their congratulations upon your arrival here in health, with the assurance that it will be their greatest pleasure, during your stay with them, to testify the sincere affection they have for your person, their sense of obligation for your merits and for your services, and their entire confidence in you as the Chief Magistrate of their country. On your return, and at all times, their best wishes will accompany you, while they retain the hope that a life of virtue, benevolence, and patriotism, may be long preserved for the benefit of the age, and the example of posterity.

"GEORGE WALTON,
"JOHN MEALS,
"THOMAS CUMMING,
"PETER CARNES,
"SEABORN JONES."

To this complimentary address the President returned the following answer:

"GENTLEMEN: I receive your congratulations on my arrival in Augusta with great pleasure. I am much obliged by your assurances of regard; and thank you, with unfeigned sincerity, for the favourable sentiments you are pleased to express towards me.

"Entreating you to be persuaded of my gratitude, I desire to assure you that it will afford me the most sensible satisfaction to learn the progression of your prosperity. My best wishes for your happiness, collectively and individually, are sincerely offered. GEORGE WASHINGTON."

At half past four o'clock in the afternoon the President dined at the court-house with a large number of citizens. Governor Telfair was also present. The entertainment was provided by subscription, and was as sumptuous as the means at command would allow. At the conclusion of the feast customary toasts were offered. That proposed by the President was *The State of Georgia, and Prosperity to Augusta.*

In the evening General Washington attended a ball in the large room of the Academy.

On Friday, the 20th day of May, the following address was presented by Governor Telfair:

"*To the President of the United States of America:*

"My warm congratulations on your arrival at the residence of government in this State are presented with a peculiar pleasure, as well as a feeling sensibility; and I am persuaded that these emotions are perfectly congenial with those of my fellow citizens.

"After the gratification felt from your presence among them, they will naturally contemplate the many unavoidable inconveniences arising in so arduous and extensive a tour, with the most solicitous anxiety. Not less impressed, my cordial wishes shall accompany you through every stage on your return to the seat of government of the United States.

"Long may you remain to fill the exalted station of Chief Magistrate of the American Republics as the just reward of that patriotism which marked every act of your life whilst engaged in the arduous struggles of a long and complicated war—gave tone to the liberties of your country—immortalized your name throughout the nations of the world—and created an unbounded confidence in your virtue, with the strongest attachment to your person and family, in the minds of American citizens. EDWARD TELFAIR."

To this the President was pleased to return the following response:

"*To his Excellency, Governor Telfair:*

"SIR: Obeying the impulse of a heartfelt gratitude, I express with particular pleasure my sense of the obligations which your Excellency's goodness, and the kind regards of your citizens have conferred upon me.

"I shall always retain the most pleasing remembrance of the polite and hospitable attentions which I have received in my tour through Georgia, and during my stay at the residence of your government.

"The manner in which your Excellency is pleased to recognize my public services, and to regard my private felicity, excites my sensibility and claims my grateful acknowledgement.

"You will do justice to the sentiments which influence my wishes by believing that they are sincerely proffered for your personal happiness, and the prosperity of the State in which you preside. GEORGE WASHINGTON."

On Friday the President attended an examination of the pupils of Richmond Academy, and expressed much satisfaction at the evidence of proficiency which they exhibited. In the afternoon he dined with Governor Telfair and a select party.

On Saturday morning General Washington bade adieu to Augusta. He was escorted by the Governor and the State and Federal Officers to the bridge over the Savannah River, where they "paid their compliments and took their leave." As the President was crossing the bridge he was saluted by Major Gordon's horse, and Captain Howell's artillery.

Thus ended a pleasant episode in the history of Augusta. What a contrast between the journey of President Washington in 1791, and the tour of President Cleveland in 1887!

In 1793 the existing relations between the State of Georgia and the Indian nations had become so unsatisfactory and threatening, that Governor Telfair, having applied in vain to the Federal Government for such aid as he thought the exigencies of the frontier demanded, resolved himself to conduct military operations on the part of the Commonwealth to compel peace and security at the hands of the Creeks and Cherokees. To that end he summoned a council of general officers to meet him in Augusta on Thursday, the 8th of August, 1793. There were present on that occasion Governor Telfair, commander-in-chief, Major-Generals John Twiggs, James Jackson and Elijah Clarke, and Brigadier-Generals Glascock, Morrison, Clarke, Irwin and Gunn. After considering the condition of affairs it was resolved that an expedition of two thousand horse and three thousand foot should at once be organized to proceed against the Creeks in the following October. When advised of this purpose on the part of the State of Georgia, President Washington expressed his decided disapproval. Through General Knox, his secretary of war, he promulgated the wish that the purposed expedition should be abandoned, and so the matter ended. With the Yazoo speculations, in which several of the prominent citizens of Augusta were largely interested, the limits of this sketch do not permit us to deal.

In the convention which framed the constitution of 1798, the County of Richmond was ably represented, and the labors of Mr. Robert Watkins in this

connection entitle him to permanent and honorable remembrance. The drama made its first appearance in Augusta in 1798, "positively for six nights only," under the auspices of Misses Williamson and Jones. They opened with "Three Week's After Marriage."

CHAPTER XIV.

Cultivation of the Tobacco Plant in Georgia—Rapid Improvement in the Trade and Prosperity of Augusta—Introduction of Cotton—Letter of Mr. Joseph Eve—William Longstreet and his Steamboat—Population of Richmond County upon the Close of the Last Century—Sibbald's Description of Augusta in 1799—Concluding Remarks.

THE introduction of the tobacco plant into Georgia materially conduced to the development and the prosperity of Augusta. Many of the early inhabitants of the present counties of Elbert, Lincoln, Wilkes and Oglethorpe came from Virginia bringing with them not only a fondness for "the weed," but also a high appreciation of its value as an article of commerce. The virgin lands of this region were well adapted to its cultivation. This plant soon attracted general notice, and proved the staple commodity or market crop of the farmers.

As the existing laws of the State forbade its exportation without previous inspection and the payment of specified fees, it became necessary to establish public warehouses at convenient points where the tobacco crop could be stored and inspected. No hogshead or cask of tobacco could be shipped which did not bear the stamp of some "lawful inspector."[1] For the faithful performance of their duties these inspectors were required to give bonds, and it was made obligatory upon them to attend continuously at their respective warehouses from the first of October to the first of August in each year. It was enjoined upon them carefully to inspect, weigh, receipt for, and stamp each hogshead delivered at the warehouse. The hogshead or cask was "not to exceed forty-nine inches in length, and thirty-one inches in the raising head." Its weight, when packed, was to be not less than "nine hundred and fifty pounds nett."

Vehicles of all sorts being scarce, it was not customary in those primitive days to transport these hogsheads upon wagons. The hogshead or cask being made strong and tight, and having been stoutly coopered, was furnished with a temporary axle and shaft to which a horse was attached. By this means it was trundled over the country roads to market, or to the nearest public warehouse. Water courses were also freely used for the conveyance of tobacco in

[1] See *Watkins's Digest*, p. 444.

open boats. The prototype of the Petersburg cotton boat of the present day was the tobacco boat of the latter part of the eighteenth century.

The location of a public warehouse at the confluence of Broad and Savannah Rivers proved most acceptable and serviceable to the tobacco growers in this rich region, and speedily attracted merchants who, there fixing their homes, became purchasers of the tobacco when inspected, and in return sold to the planters such supplies as they needed. Such was the origin of the town of Petersburg. Its existence was due to the concentration at this point of the tobacco crop of a considerable area. The presence of this commodity was emphatically the cause of population, and the parent of trade. Lisbon, Federal-Town, and Edinborough were other villages which owed their existence to the tobacco trade. Augusta was in the end the principal mart whither this tobacco tended. It was the point of transhipment, and from the depots of the Augusta merchants were supplies derived not only by the country merchants but also by numerous planters coming from great distances. The trade, both by wagon and by boat, was extensive and lucrative; and its effect in confirming the prosperity of the town, in improving the style and number of its buildings, in enhancing the general wealth, and in promoting the importance of the settlement, was most evident. Commerce with the Indians still existed to a limited extent, but it no longer entered as an important factor in the calculations of the merchants.

Upon the decadence of the tobacco plant, the cultivation of cotton engaged the attention of the agricultural community. Although as early as 1739, a bag of cotton is said to have been exported from Savannah, it was not until 1785 that the value of this product was fairly recognized in the United States. Ten years afterwards a million pounds were exported for foreign consumption. Early in the present century five hundred bales, each weighing three hundred pounds, were consumed by the home manufacturer, and forty-one million pounds went abroad to supply the needs of foreign factories. Tobacco was then supplanted by cotton, and Augusta became the market for an extensive region producing this most important article of commerce. The invention and introduction of Eli Whitney's cotton gin imparted a wonderful impulse to this industry, and conferred a benefit which cannot be overestimated. He should be generously remembered as a benefactor of his race.

In this connection we make no apology for introducing the following letter from Mr. Joseph Eve, the father of the late venerable Professor Joseph A. Eve, M.D., of this city, whose pure life and valuable ministrations are cherished in such lively recollection. The original exists among the Rush papers in the manuscript department of the Ridgway Library in Philadelphia.

"DEAR SIR:—I have invented a machine for the separating of Seed from cotton, which has been in use in these islands these several years.

"Having received the last year a number of applications from the Southern

States for my Machines, I am induced to petition the Legislature of the United States for a Patent for the exclusive use of them. Without this security I could not, in justice to myself, let my machines be introduced into the States.

"Major Butler was kind enough to hand a Petition for me to Congress, and has promised that if I send a model of my Machine, I shall obtain a Patent.

"I was in Charles Town in the Summer to meet General Butler there. The business could then have been settled, but that I could not make the model in Charles Town. I had, however, such papers executed as the law relative to Patents requires; and having taken the liberty of sending them, with the model of the Machine, to your care, Major Butler has promised to bring the matter forward for me again, and to use his influence in promoting its success.

"The only motive I can urge for troubling you with the care of this Model and these Papers is the probability that Major Butler may not be at Philadelphia. Perhaps I gratify a secret vanity at the same time, and I am conscious of a high pleasure in the opportunity it affords me of expressing my gratitude for your former Patronage, and the kindness I have so often met with from you.

"If I succeed in this business I expect, in the prosecution of it, to have to go to Philadelphia, when, to thank you personally will not be my smallest pleasure. "I remain, with high esteem, dear sir,

"Your most obd't hble. servt.,

"Bahama Islands. "JOSEPH EVE.

"Nassau, 24th Nov., 1794.

"I have sent the Pacquet to Major Butler, which is inclosed, open for perusal.

"I will thank you to put a wafer in it.

"DR. BENJAMIN RUSH."

What the precise character of this machine was, and whether or not Mr. Eve obtained a patent for it, we are not advised. It would appear, however, from this letter, that this "machine for the separating of seed from cotton" had not only been in use among the cotton planters of the Bahama Islands several years before Whitney perfected and introduced his invention, but that it had also attracted the notice of cotton growers in the Southern States.

In the centennial edition of the *Augusta Chronicle*, appeared an interesting article from the pen of Mr. Salem Dutcher, entitled "William Longstreet, inventor of the steamboat." On the 1st of February, 1788, the General Assembly of Georgia passed an act securing to Isaac Briggs and William Longstreet, for the term of fourteen years, the exclusive privilege of using a newly constructed steam engine, the product of their joint invention. In a letter addressed to Governor Edward Telfair, and now of file in the archives of this State, Mr. Longstreet, under date Augusta, September 26th, 1790, refers to his *steamboat*, and asks executive assistance and patronage in his efforts to per-

fect and utilize it. It does not appear that this application was crowned with success.

In the teeth of many obstacles Mr. Longstreet continued his experiments; and, having in 1806 accumulated means sufficient for the purpose, constructed a steamboat according to his own ideas and successfully navigated it in the Savannah River.

After a careful examination of all the evidence which can be adduced, Mr. Dutcher arrives at the following conclusion:

"From the reference here to 'the different essays he has made,' taken in connection with the letter above quoted of 1790, it is quite likely that the statement of his having successfully operated a steamboat on the waters of the Savannah in 1806 is correct. If so, he is indubitably entitled to the honor of being the inventor of the steamboat, Robert Fulton's successful trial trip up the Hudson, in the *Clermont*, dating from August 7, 1807. If Mr. Longstreet's boat was not on the water till 1808, so that Fulton is entitled to the credit of having first operated the invention, the honor of excogitating the idea of steam navigation is still with the former, since, as we have seen, he receives a patent from the Georgia Legislature in 1788, and in 1790 mentions the steamboat by name as an invention of his, then well known, and it was not until 1790 that Robert Fulton left the United States for Europe in order to perfect his education. After his return to the United States he became acquainted with Chancellor Livingston, who had paid great attention to the subject of steam as a motor, and in 1798 obtained from the New York Assembly the exclusive right to apply it to the propulsion of vessels. From this time Fulton began, in conjunction with the chancellor, a series of experiments which culminated in the *Clermont*, in 1807.

"Considering that something over nineteen years elapsed from the time of the Georgia statute up to Fulton's final experiment, and that Longstreet never relinquished his idea in all that period, but constantly kept it before the public, it is not at all improbable but that in that prolonged period intelligence of the ingenious Georgian's idea extended throughout the then Union. In fact, we know that in 1789 John Stevens made some experiments toward steam navigation in New York, and that in 1790 John Fitch is said to have put a species of steamboat on the Delaware; circumstances tending to show Longstreet's idea had been noised abroad.

"This, of course, is but inference; but, however it may be, one thing in the history of steam navigation is perfectly well established, and that is that in 1788 William Longstreet, of Georgia, had conceived the idea of the steamboat, and either before, or about contemporaneously with, the famous trip of the *Clermont*, had, by the mighty agency of steam, made a vessel walk the water like a thing of life."

We have here a memory which, among the recollections of old Augusta, should be cherished with peculiar pride.

When the census of 1791 was taken, Richmond county had an aggregate population of eleven thousand three hundred and seventeen. Of this number four thousand one hundred and sixteen were slaves. Columbia county had not then been carved out of the territory of Richmond.

By the census of 1801 the population of Richmond county is returned at five thousand four hundred and seventy-three, while that of Columbia county is fixed at eight thousand three hundred and forty-five.

In Sibbald's *Notes and Observations on the Pine Lands of Georgia*,[1]—a rare and an interesting tract,—we find the following description of Augusta as the town appeared at the close of the last century.:

"Augusta is situated upon the southwestern bank of Savannah River, latitude 33.40, on a beautiful and extensive plain. It is one hundred and twenty miles northwest of Savannah. The town is regularly laid out in streets crossing at right angles.[2] The principal street, called Broad street, running nearly east and west, is a handsome, well built street, one hundred and sixty-five feet wide, and has a row of trees for nearly a mile on each side. On this street there are upwards of one hundred stores filled with all the necessary manufactures of the Northern States, of Europe, the East and West Indies. This city, in point of riches, is equal to any of the same size in the United States. The other streets are sixty-six feet wide, except Greene street, which is one hundred feet wide. There are many handsome, well built houses on them. In the rear of the town a street has been laid out three hundred feet wide, in the middle of which an academy, containing a center building forty-five by thirty-six feet, and wings thirty-three by one hundred feet, is now building. This building is ornamental with a cupola, and may be said to be the most elegant building of the kind in the Southern States. It is intended to accommodate one hundred and fifty students.

"Upon a line with it, fronting another square, a brick building is now erecting for a Court-House, upon a handsome and convenient plan. This street is intended to be ornamented with trees for a Public Walk. There are also a Church, Methodist Meeting-House, a large Stone Goal, a Market-House, and two Ware-Houses for the Inspection of Tobacco. No Town ever rose into importance with such rapidity as this Town has. In the year 1785, on the spot where the Town stands, there were only ten houses. There are now three hundred and four houses, and it is fast increasing in buildings, commerce, and every kind of improvement. It has the advantage of a most beautiful situation, and enjoys a good climate, good water, and is surrounded by fertile land. It will, one day, rise to a degree of importance. It was incorporated by an Act of the Legislature approved January 31, 1798."

With the close of the eighteenth century our labors in connection with the

[1] Augusta: Printed by William J. Bunce. 1801. pp. 59, 60.

[2] This is characteristic of all the towns in Georgia planned by General Oglethorpe.

Charles C. Jones. Jr.

preparation of this Memorial Volume end. We have endeavored, from all available sources of information at command, to furnish a truthful narrative of events, military, political and social, and to present a faithful history of the fortunes and development of Augusta during the first sixty-five years of her existence.

The curtain rose upon a feeble trading post, quite isolated, and located upon the extreme verge of European colonization in Georgia. It descends upon a thriving town, claiming a population of some two thousand, conducting a lucrative commerce with an extensive circumjacent territory, and advancing rapidly in civilization and wealth. The clouds which overshadowed the settlement and darkened its progress during the Indian wars, and the storms which shattered its houses and rendered desolate its streets during the protracted and sanguinary contest between Revolutionists and Royalists, have all been dissipated. An era of steam and of assured prosperity is at hand. Competent men are earnestly striving for the honor and the expanding welfare of the community. Among those who then guided and stimulated public affairs, and attended to the business of law, of politics and of commerce, the names of Abraham Baldwin, George Walton, Edward Telfair, William Few, John Twiggs, Wade Hampton, Samuel Hammond, Thomas Cumming, Thomas Glascock, Freeman Walker, Nicholas Ware, Seaborn Jones, Elijah Clarke, Robert Watkins, Benjamin Few, and others scarcely less prominent, are well remembered. And among them—at that time unknown to fame but inspired with a brave ambition to excel—is an Irish boy, poor and a stranger, destined in after years as a lawyer, an advocate, a statesman, and a man of letters to reflect credit upon his adopted home, and in his pathetic lines commencing:

"My life is like the summer rose,
That opens to the morning sky,"

entitling himself to grateful and honorable remembrance so long as the English language endures.

CHAPTER XV.

Original Plan of the City—The Old Town—Limits Enlarged in 1780—Government by Commissioners—Augusta's Loyal Element—The Captured Cannon—Augusta the State Capital—Trustees of Augusta—Limits Enlarged in 1786—Charter of 1789—Popular Discontent—Charter Withdrawn—The Yazoo Freshet.

THE history of Augusta from its settlement in 1735 to the close of the eighteenth century is previously narrated in this work by one entirely competent to the task. The city was incorporated in 1798, and its his-

tory from that time, with some account of its municipal government from the earliest period, will be the business of this part of the work.

As has been stated, Augusta was first settled in 1735, and while General Oglethorpe's primary object was to establish a trading post and frontier fortress for the new colony, there is reason to believe that he looked forward to more permanent results, and anticipated that Augusta would, in time, become a thriving city in the up-country as a counterpart to Savannah, near the coast. For several years after the establishment of Georgia, General Oglethorpe was the governing authority in the province, and seemed to aim at permanence in all he did. Thus, while fully armed with the royal authority to take possession of the new country, he relied, like Penn, fully as much on native consent as on kingly sanction, and made it one of his first endeavors to win over the Indians to a peaceful occupation of the soil by the whites. This was all the more necessary, since, after many bloody collisions, it had been agreed between the settlers of South Carolina and the savages, that the River Savannah was to be the dividing line between the red man and the pale-face. To the west of that river, no white man, even for trade or hunting, was to set his foot. The settlement of Georgia was, consequently, an infraction of this treaty; and seeing that the settlement to be permanent, must be either by arms or negotiation, General Oglethorpe, at his landing, persuaded the Indians to a new treaty whereby the white man was to be allowed to settle along the western bank of the river. The same prudent foresight marked the general's course in the establishment of towns. From the specimens of early plats which survive, they seem all laid off on the same plan, namely, in broad, straight streets, intersecting at right angles, and having the lots intended for public purposes on one side the square, with an extraordinarily wide space or parade in front. In a word, the plan is that of a camp, as might have been expected from Oglethorpe's profession. While no written record remains of the fact, it is beyond question that Augusta was originally laid off on this plan. So thoroughly convinced is Colonel C. C. Jones, the eminent archæologist of Georgia, of a plan of the city having been made by General Oglethorpe that he made most careful search in the British Museum and British colony office for the original when abroad some years since, but unfortunately without success. The reader has but to cast his eye, however, on the present map of the city, to see that the contour of the municipality still retains the original idea of its founder. The limits of the first settlement are not now precisely ascertainable, but, on a plan of the city made about 1784, and still in existence, a certain portion of its present area, bounded by the Savannah River on the north, Elbert street on the east, Green on the south, and Washington on the west, is denominated "the Old Town," and this is, in all probability, the original Augusta. What adds to this probability is that, midway between Elbert and Washington lies a street which, from time immemorial, has been called Centre street, a name

which would have no relevancy unless it were so called as having originally bisected the town. To corroborate this, we have a provincial act of 1768 which establishes "a ferry from the centre of the town of Augusta, upon Savannah River, to the bluff on the opposite shore, in the province of South Carolina," and Sherwood's *Gazetteer* says the ferry ran just where the bridge was afterwards built, to wit: at the foot of Centre street. We may, therefore, say that Augusta was originally bounded by Elbert, Greene and Washington streets, and the river. This gave three streets running at right angles to the river, namely, Washington, Centre and Elbert; and three running parallel to the river, to wit: Greene, Ellis and Reynolds, the names of the latter two being those of the early royal governors, being an additional evidence of the antiquity of this part of the city.

It does not appear what form of municipal government prevailed at this early day, but, as the population numbered several hundred soon after its first settlement, and, at certain seasons, there was an extraordinary influx of Indians, there must have been some kind of local authority. The first distribution of Georgia into political subdivisions was into two counties, namely, Savannah county, comprising all north of Darien, and Frederica county comprising all south of that point, each county being under the supervision of a president and four assistants. This threw Augusta in Savannah county, and the local government was, doubtless, conducted by the commandant of the fort, under the orders of the president and assistants of that county. Some years later the colony was divided into eleven districts, namely, Abercorn and Goshen, Acton, Augusta, Darien, Ebenezer, Joseph's Town, Little Ogeechee, Medway, Savannah, Skidaway and Vernonburg. In 1750 the trustees ordered a colonial assembly of sixteen members to be chosen, each district to be represented in proportion to its population, and, on this apportionment, the Augusta district sent two members, evidencing a considerable increase in its population.

In 1758 the districts became parishes, the district of Augusta becoming the parish of St. Paul, the act making this change providing that "from and after the seventeenth day of March, one thousand seven hundred and fifty-eight, the church erected in the town of Augusta, with the cemetery or burial place thereunto belonging, shall be the parish church and burial place of St. Paul." The same act empowered the churchwardens and vestrymen to assess rates for the repair of churches, the relief of the poor, and other parochial services.

In 1780 the limits of Augusta were enlarged, and we begin to see the germs of a regular municipal government. By act of that year it was recited that "the vacant land above and below the town of Augusta, lying on Savannah River on the north, and joining the common in a line with the south street of the town running parallel with the river, and joining land of McCartan Campbell on the west, and Andrew McLean on the east, ought to be laid

out into lots and sold for the use of this State, in order to enlarge the limits of the said town;" and thereupon it was enacted "that five commissioners be appointed by this house, and the said commissioners so appointed, or any three of them, are hereby empowered to lay out the said vacant land in lots of one acre each, and also to lay out proper streets, and to arrange them with the others in the said town of Augusta, and the whole shall be included and called Augusta." This act appears to have extended the town limits to Lincoln street on the east, and to Jackson street on the west. The duties that devolved on the commissioners were numerous and important. They were directed to sell the lots at public sale, for one-half cash and the balance on twelve months' time; no person, however, to be allowed to purchase more than one lot, and each purchaser to be required to give good security to settle and build upon his lot within two years after purchase. They were also directed to straighten the streets, which seem to have been encroached upon, and to make "the road on either side, up to Rae's Creek and down to the Sand Bar," conform to the streets. On one of "the public lots in Broad street" they were to build a court-house and jail, and were to reserve the other "for houses of public seminaries and schools." They were to superintend the construction of all new houses, and see that they were at least twenty by sixteen feet, and if of wood, "framed and built in a workmanlike manner," and all houses were to be placed on such part of the lot as the commissioners should direct," to the end that the said town may be regularly built. They were also directed to reserve "two of the best lots in the centre line of the said town, and distant from each other, for houses of public worship," and to "lay out two acres of ground in the common south of the said town for public cemeteries, each opposite the respective lots, and to cause the same to be cleared and fenced in." The act made sundry other provisions, which afford internal evidences of Augusta being, even at this early date, a point of recognized and growing importance. All suits at law were to be heard and determined there; all criminal trials were also, to be had there; all lots not built on and improved in the course of two years after the passage of the act were to be forfeited to the State, and sold out to such purchasers as would build; and no burials were to take place within the town limits. The references in this act to the lots of the original town afford still further proof that Augusta was originally laid out on some settled and recognized plan. The commissioners appointed to carry out the act were William Glascock, George Walton, Daniel M'Murphy, John Twiggs and George Wells, and this body of city fathers would doubtless have done good work for the town but for the pendency of the war between the king and the colonies, and the bloodshed and havoc which marked the struggle. In and about Augusta the dogs of war did their worst, and so ruthless and sanguinary was the combat that the famous Revolutionary soldier General Lee—"Lighthorse Harry,"—says in his memoirs, "in no part of the South was the war conducted with so

much barbarity as in this quarter." With the approach of the Revolution two parties developed themselves in the town. One favored the king, and sent him a loyal address, assuring him of their affection and support. The other side took the old Continental view of the question. It is pretty clear that at first the monarchical sentiment was very strong. Georgia was in some respects a colony of peculiar environments. The other provinces had been established for motives of ambition or pecuniary gain, but this had for its origin the desire of the crown to furnish comfortable homes for distressed Englishmen who from debt or misfortune had no future in life. In 1730 Viscount Percival, a benevolent nobleman, General Oglethorpe, a veteran officer who afterwards rose to be ranking general in the British service, and a number of other philanthropic gentlemen petitioned King George II. for a charter of incorporation "as a charitable society by the name of the corporation for the purpose of establishing charitable colonies in America." The petitioners stated "that the cities of London and Westminster, and parts adjacent, do abound with great numbers of indigent persons who are reduced to such necessity as to become burdensome to the public, and who would be willing to seek a livelihood in any of his majesty's plantations in America if they were provided with a passage and means of settling there," and went on to say that petitioners were willing "to undertake the trouble and charge of transporting all such persons and families, provided they may obtain a grant of lands in South Carolina for that purpose, together with such powers as shall enable them to contract with persons inclinable to settle there and to receive the charitable contributions and benefactions of all such persons as are willing to encourage so good a design." In order to understand this reference to a grant of land, in South Carolina, it must be borne in mind that prior to the founding of the colony of Georgia, the province of South Carolina extended westward "to the South Seas," it being the belief at that period that some vast body of water lay far inland of the continent. His majesty referred the petition to the Board of Trade, which in December, 1730, reported back in favor of granting the prayer of petitioners. The report says: "We are of the opinion his majesty may be graciously pleased to grant to the petitioners and to their successors forever, all that tract of land in his province of South Carolina lying between the Rivers Savannah and Alatamaha, to be bounded by the most navigable and largest branches of the Savannah and the most southerly branch of the Alatamaha, with the islands in the sea being opposite to the said land." It was also recommended that this territory should be erected into a separate colonial government, and that the society should have power to make laws and appoint officials therein, subject to the allowance and approval of the crown. On the coming in of this report it was amended so as to make the new province extend westwardly to the South Seas, so as to include all the islands within twenty leagues of the coast, and so as to prohibit the grant of more than five

hundred acres of land to any one person, and as thus amended, was received and approved.

On June 9, 1732, the king, by his letters patent, incorporated Viscount Percival, General Oglethorpe, and their associates by the name of "the trustees for establishing the colony of Georgia in America," and granted them the territory and powers above mentioned. The work of establishing the new colony at once began. General Oglethorpe himself headed the first ship load of emigrants, and the king sent a special letter of instructions to Governor Johnstone of South Carolina, setting forth that whereas the trustees had petitioned the crown to notify him of their charter, "that all due countenance and encouragement should be given for settling the said colony;" therefore, he was to register said charter among the archives of his province, and "to give all due countenance and encouragement for settling of the said colony of Georgia, by being aiding and assisting to such of his majesty's subjects as shall come into the said province of South Carolina for that purpose." Anthony Stokes, the royal chief justice of Georgia from 1769 to 1783, gives a lively picture of the favor and protection extended this particular colony by the crown. He says: "Georgia continued under the king's government to be one of the most free and happy countries in the world. Justice was regularly and impartially administered; oppression was unknown; the taxes levied on the subject were trifling; every man that had industry became opulent. The people there were more particularly indebted to the crown than those in any other colony; immense sums were expended by government in settling and protecting that country; troops of rangers were kept up for several years the civil government was annually provided for by vote of the House of Commons in Great Britain and most of the inhabitants owed every acre of land they possessed to the king's free gift; in short there was scarce a man in the province that did not lie under particular obligations to the crown. As a proof of the amazing progress that Georgia made, I should observe that when Governor Reynolds went to that province in 1754, the exports did not amount to £30,000 a year, but at the breaking out of the Civil War they could not be less than £200,000 sterling." We have the figures of the colonial tax levied for a number of years which go to show that taxation could not have been onerous, and that, judging from the ratio of increase, the colony must have been rapidly growing in wealth and population. The figures are:

	£	s.	d.	f.
For the year 1759.....	820	5	0	2
" " " 1760.....	1,118	3	8	
" " " 1761.....	1,373	11	7	
" " " 1762.....	1,421	5		
" " " 1763.....	1,934	9		
" " " 1764.....	2,117	13	0	2

	£	s.	d.	f.
For the year 1765	1,599	7	1	2
" " " 1766	1,925	6	1	
" " " 1767	1,843	11	4	2
" " " 1768	3,375	4	1	
" " " 1769	3,046	16	8	2
" " " 1770	3,355	9	0	2
" " " 1773	5,171	15	10	2

With the above data before us, we can see why the loyal sentiment was strong in Augusta, as throughout Georgia, at the outbreak of the Revolutionary struggle. The people had been kindly treated by the British Crown. None of the embroilments and quarrels which had embittered the colonists against the king in other provinces had taken place in Georgia. Prior to the bloodshed at Lexington, the revolutionary sentiment was very evidently quite weak in Georgia, and even after the first clash of arms was heard, the spirit of loyalty was still strong. Out of this fact grew acts which afterwards resulted bloodily for Augusta. In Augusta, as in Savannah, was formed an order or association called Liberty Boys, devoted to the American cause. The Augusta branch paid special attention to expelling such members of the community as were supposed to favor the royal cause, and were, in particular, exceedingly severe on one Thomas Brown. Brown was a native of Augusta and seems to have been a man of fixed views and determined courage. On his escape he joined the British and, being possessed of great native military ability, soon rose to high command in the service. Scarcely had the above mentioned act of 1780 been passed and the municipal board organized thereunder, when a British force under the command of Brown, then Colonel Brown, of his majesty's service, took possession of the town. His resentment was written on Augusta in letters of blood and fire. After a prolonged and desperate struggle, elsewhere narrated, he was captured with all his forces, and British domination in Augusta ended. Three of the cannon taken on this occasion are still to be seen in the city. One is in possession of the artillery company, and occasionally used in firing salutes; a second surmounts the grave, in the city cemetery, of a Revolutionary soldier; and the third is half imbeded in the soil at the corner of Ellis and McIntosh streets. Why it is placed there no man seems to know, but the probabilities are that it marks the location of the tower whence the Americans poured down a fire into Fort Cornwallis, the last British stronghold in Augusta, which swept its garrison from their guns and compelled its surrender.

After the expulsion of the British, the General Assembly of Georgia again convened in Augusta, at that time the seat of the State government, and, in an act passed in 1782 we find a moving picture of the times. While not so stated in so many words, the scene was doubtless taken from what had occurred in

Augusta. After stating that many citizens of Georgia had "been guilty of treason against the State, and the authority of the same, by traitorously adhering to the king of Great Britain, and by aiding, assisting, abetting, and comforting the generals and other officers civil and military of the said king, to enforce his authority in and over this State and the good people of the same;" it went on to say that "said treasons had been followed with a series of murders, rapine, and devastation as cruel as they were unnecessary, whereby order and justice were banished the land, and lawless power established on high, exhibiting the melancholy picture of Indians inflicting dreadful punishments on both old and young of the faithful and peaceful citizens of this State; women and children sitting on the ruins of their houses, perishing by famine and cold; whilst others were compelled, in the midst of a rigorous season, to depart the State, being previously plundered of both their and their children's clothing, and every other necessary that might tend to mitigate the uncommon severities exercised on the softer sex and their innocent babes. Nor was this all, whilst these days of blood and British anarchy continued among us, and commanded executions of our citizens, taken in arms in defense of their invaluable rights, to take place, executions as unauthorized by the laws of nations, as they were cruel in themselves, and only to be exceeded, if possible, by the abandoned profligacy of setting torches to temples dedicated to the service of the most high God, whereby they completed a violation of every right human and divine."

Fired by the very recital of these wrongs the act proceeds, in the nature of a bill of attainder, to proclaim as traitors a long list of persons, not forgetting Colonel Thomas Brown, the author of the miseries of Augusta. They were commanded to leave the State, under penalty of death if they returned, and their property was sequestrated and ordered to be sold. Some of the land titles of Augusta run back to deeds given under this act by the commissioners of confiscated estates. The recollection of British severity long lingered in Augusta, and we remember to have heard from an aged matron that in her early days she saw a venerable lady, whose cottage, out where the Presbyterian Church now stands, was attacked by the Indian allies of the British, her babe slain and she herself scalped and left for dead. From another mother in Israel we have heard that after the Revolution one Fox, a Tory, settled in Augusta at the corner of Broad and Washington streets—where a marble slab let high into the building, still proclaims it "Fox's Corner,"—and, to the huge disgust and indignation of the good people of the town, would ever and anon, of a bright, sunshiny day, hang his red coat out of the window, as he alleged simply to sun it, but as the indignant citizens declared, to taunt them with the sight of the hated British uniform once more within rifle shot of the site of Fort Cornwallis. Colonel Thomas Brown, who had wrought such ruin on the town, escaped unhurt after his surrender, though at one time the Continental officers

were compelled to turn out their troops to protect him from the American militiamen who thirsted for his blood. He was sent to Savannah; there organized a battalion of negro infantry in the British service; went thence, on the final surrender, to England, and was rewarded for his loyalty with an appointment in one of the West India islands and a gratuity of £30,000. Not satisfied with this, he surreptitiously affixed the colonial seal to some false grants of land, and was convicted in London of forgery. Whether he was hanged accordingly does not appear.

But Augusta lost no time in repining. The lots ordered to be sold under the act of 1780 had not been built on; the church had been burned; there was no court-house or academy, but steps were at once taken to build up the waste places. In 1783 the Legislature declared that, while the act of 1780 had not proved effectual, "the same reasons continued for the encouragement and enlargement of the town of Augusta"; and thereupon selected another board of commissioners, appointing William Glascock, George Walton, Joseph Pannel, Andrew Burns, and Samuel Jack as the board. The act then proceeded to forfeit the town lots which had not been built on and ordered the commissioners to expose them to sale anew, one-fourth cash, one-fourth in one year thereafter, and the residue in three years; deferred payments to be secured by mortgage. Every purchaser, as part of the contract of sale was, within two years from date of purchase, "to build, or cause to be built, a tenantable brick, stone, or frame house, not less than sixteen feet by twenty-four," on his lot, under penalty of the same reverting to the State. Particular and special attention was also given to the erection and endowment of an institntion of learning. After building a church, and reserving a sufficiency of land for public purposes, all the other lots were to be sold and the proceeds used to establish and maintain a seminary. This is the origin he Richmond Academy, an institution which still exists, and is the olde seat of learning in the United States with the exception of Yale, Harvard, d Princeton.

The act of 1783 constituted the board of commissioners of Augusta trustees for all the purposes mentioned in the act, namely the improvement of the town and the erection and support of the academy, but did not in express terms confer general powers of municipal government. In 1786, however, another act was passed which did so. It provided that "the board shall have power to carry into execution in the town of Augusta, the same regulations and powers as the commissioners of the town of Savannah may lawfully do there." The acts of 1780, 1783, and 1786 therefore operated, when taken together, as a sort of charter for Augusta; and up to the year 1798, when the charter of the present city was granted, Augusta, with a brief exception, whereof more hereafter, was governed by a board of commissioners. This board, as we learn from an act passed in 1835, was considered as being in reality made up by two bodies, or rather, had two sets of powers, one as trustees of the town of

Augusta and the other as trustees of Richmond Academy. This act of 1786 made another alteration in the limits of Augusta, the trustees being directed to add another row of lots on the south side of the town, which seems to have extended Augusta to the present Telfair street. Edward Telfair was governor in this year, 1786, whence, no doubt, the name given to the new street.

In 1789 the Legislature incorporated Augusta and Savannah in one and the same act, the earlier statutes of Georgia being frequently a sad farrago of all sorts of subjects. A bill seems to have been regarded as a sort of sausage into which legislators were at liberty to cram all kinds of material. This evil, it may be here remarked, finally led to the rule that a law should relate to but one subject matter, which has been adopted from Georgia into the constitutions of almost all the other States. The act of 1789 incorporated the town of Savannah as the city of Savannah, but left Augusta still a town; and for some reason, probably because the good people of Augusta of that day resented this inferiority in title, the charter of 1789 found little favor. True, it gave Augusta a mayor and board of aldermen, as it did Savannah, but even this *placebo* did not heal the first affront. The people took offense at the act itself and every part and parcel thereof. Its very phraseology seems to have become obnoxious, and when Augusta did become a city the charter studiously provided that the chief executive of the municipality should be styled not mayor, but "intendant," and intendant it remained till 1817. As to alderman, that word was also scouted, and has never been the official designation of an Augusta city father from that day to this. In 1841, a half century afterwards, an act was passed to create a board of aldermen in Augusta, but in the very next year was incontinently repealed. "Member of Council" is now, and has, for nearly a century, been the only legal official appellation.

It is unfortunately the case that the text of this act of 1789, so far as relative to Augusta, does not appear in the statute book, and we are therefore unable to give the terms of this unpopular charter. It appears, however, that the mayor and aldermen therein provided for were to be appointed, not elected, and that no appointments were made for some years, and that, in the meantime, the government by board of trustees continued. In 1790 the trade of Augusta with South Carolina had increased to such an extent that it became necessary to have a bridge over the Savannah; and, the trustees having surrendered their ferry right in his favor, the Legislature granted Wade Hampton the right to construct and maintain a toll bridge from the foot of Centre street to the Carolina shore. The grantee was to keep up a bridge of at least sixteen feet in width; was to pass the master, teachers, and scholars of the Richmond Academy free; was to pay the trustees an annual rent of £50, and charge only the tolls set out in the act, which were the same as the old ferry had charged. Among the items appear a couple which present a curious picture of the times, to wit: "for every rolling hogshead with two horses, and

drawn, one shilling and two pence ; for every rolling hogshead with one horse, and drawn, one shilling." In those days tobacco was a staple in Georgia and South Carolina, and Augusta was a notable inspection point. By law the hogshead was not to exceed forty-nine inches in length, and thirty-nine inches in the head, and was to weigh at least nine hundred and fifty pounds nett. They were very stoutly coopered, and fitting a sort of axle to them and shafts or pole, the planter trundled them along the road to market after the fashion of a huge garden roller.

In 1791 we find that "the Mayor and Aldermen to be appointed for the Corporation of the Town of Augusta," were made *ex-officio* commissioners of court-house and jail.

In 1794 occurs another instance of the rivalry of the time between Augusta and Savannah. The latter place had two fire engines, and desired a fire company chartered. Augusta having but one engine, at once purveys herself another, and has that incorporated as the Augusta Fire Company. The original by-laws of this venerable organization are still preserved. One article is that the members are to dine together every Fourth of July ; each member was to provide himself at his own expense with a white oil cloth cover for his hat, lettered with the company's name, also two fire buckets, and "four bags, each containing three yards of strong Osnaburgs, and drawn at top with a suitable cord," buckets and bags to be similarly lettered. The buckets were to put out fires ; the bags to save goods. There was to be a monthly inspection of buckets and bags, and any dereliction in this particular met a fine of five dollars. The company was to meet, buckets in hand, at the engine-house, at sun rise, on the first Saturday of each month to clean the engine. The officers bore commissions from the governor, and when on duty carried white wands six feet long, and lettered as above.

In this same year, 1794, the mechanics of Augusta became an incorporated company under the name of "The Augusta Association of Mechanics." The act states that they had petitioned for a charter, because "desirous of placing their various crafts on a more social footing than heretofore, and of establishing, by their united exertions and contributions a lasting fund for the relief and support of such of their unfortunate brethren, or their families as are, or may become objects of charity." The petitioners are stated in the act to be William Longstreet, president ; John Catlett, vice-president ; Thomas Bray, secretary ; Robert Creswell, treasurer, and Hugh Magee, William Dearmond, Baxter Pool, John Cook, Joseph Stiles, Angus Martin, John Stiles, Hiel Chatfield, Edward Primrose, Conrad Liverman, and Isaac Wingate.

In 1795 so much of the act of 1789 as chartered Augusta as a town with a mayor and aldermen was repealed, the act stating that "experience hath proven that so much of the act is deemed incompatible with the interest and the wishes of the inhabitants thereof." The act proceeded to say "and it shall be the

duty of the mayor and aldermen now in office, under said act, and they are hereby required to adjust, and within six months from and after the passing of this act, finally to settle and close the books and accounts of the corporation, and to deposit the same, together with the funds thereof, with the commissioners of the court-house and jail, to be appointed for the county of Richmond, who shall hold such property, real and personal, as may have been acquired by the said corporation, in trust, for and to the use of the said town of Augusta and the inhabitants thereof, provided that nothing herein contained shall prevent the collection of the corporation tax already levied, which sums shall be deposited with the commissioners aforesaid."

With the repeal of the charter of 1789, the government of Augusta reverted to the board of trustees, as we find by act of the next year, 1796, which directed "The Trustees of the Town of Augusta," to do a number of things for the good of the place. Among other things they were to rectify an inconvenience growing out of the extraordinary width of Broad street in the original plan of the town. It has been already mentioned that the original Broad street extended from Washington to Elbert, and was laid off by Oglethorpe as more of a parade ground than a street, being three hundred feet wide; and that, in extending Broad street east to Lincoln street, and west to Campbell street, the act of 1780 required that width to be preserved, it not being until 1784 that the width was reduced to one hundred and sixty-four feet.

This direction seems to have been complied with only so far as the extension east was concerned, the extension to Campbell street being made much narrower. In laying out the town below Lincoln under the act of 1786, Broad street was also narrowed, so that in 1796 the original portion of that street was sixty-four feet wider than it was above or below. To add to the confusion, the street on its south side was straight its entire length, the inequality being wholly on the north side. To remedy this, the north side lots were extended sixty-four feet into the street. The same act gives some interesting information respecting the "Yazoo Fresh," as it is called from occurring the same year as the Yazoo Fraud, or that memorable land speculation which occupies such a space in the history of Georgia. The act says:

"WHEREAS, The aforesaid Town of Augusta hath latterly sustained considerable injury by the inundation of an extraordinary flood of water in the Savannah River, and which was considerably heightened on account of the direction of the current immediately against the town, for remedy whereof, *Be it enacted*, That it shall and may be lawful for the trustees of the aforesaid town of Augusta, within eight months from and after the passing of this act, under such scheme, regulation, and restrictions as the said trustee may deem most expedient fully to effect the end of erecting and completing one or more sufficient pier or piers, in such part or parts of the river as will, in their judgment most effectually divert the current of the same from off the said town; *provided*, that such piers shall not obstruct the navigation of the said river."

This Yazoo freshet swept away the bridge, but, as usual, the people of Augusta lost no time in idle lamentations. An act was immediately passed directing it to be rebuilt.

CHAPTER XVI.

Augusta Incorporated — Charter of 1798 — Thomas Cumming, First Intendant — City Limits — Rise of the Cotton Interest — Whitney and his Gin — Price Current of 1802 — Intendant Murray — Intendant Hobby — Intendant Flournoy — Intendant Catlett — Assize of Bread — The Steamboat of 1808 — Intendant Hutchinson — Intendants Walker and Jones — Governor Matthews — Beards President Adams — Intendant Leigh — Panic of 1814 — Intendant Called Mayor — Mayor Freeman Walker Becomes United States Senator — Mayor Ware becomes United States Senator — Mayors Reid and Holt — La Fayette's Visit — Mayor Hale — Rise of the Railway System — Mayors Phinizy, Hook, and Dye — The Algerine Law — Augusta Canal — Mexican War — Mayor Ford.

ABOUT 1796 it became apparent that the device of a board of trustees appointed by the Legislature would no longer suffice for the government of the town. In 1797 the Legislature itself declares that a full board was such a hindrance to business that thereafter a majority of members should constitute "The board of trustees for the academy and town of Augusta."

Finally, by act of January 31, 1798, the town ceased to be a town, and was recognized and chartered as a city. This instrument was skillfully and carefully drawn, and is still the organic law of the city. It begins, as is usual with these old-fashioned acts, with a preamble expressive of why it was passed.

"WHEREAS, From the extent and population of the town of Augusta, its growing importance, both with respect to increase of inhabitants and diffusive commerce, it is indispensably necessary that many regulations should be made for the preservation of peace and good order within the same; and

"WHEREAS, From the many weighty and important matters that occupy the attention of the Legislature at their general meeting, it has hitherto been found inconvenient, and may hereafter become more so, for them to devise, consider, deliberate on, and determine all such laws and regulations as emergencies, or the local circumstances of the said town, may from time to time require;

"Be it therefore enacted, That from and immediately after the passing of this act all persons citizens of the United States, and residing one year within the said town, and having a freehold or lease for years of a lot within the same or the village of Springfield, or between the said village and town, shall be deemed, and they are hereby declared to be, a body politic and corporate, and the said

town shall hereafter be called and known by the name of THE CITY OF AUGUSTA, and shall be divided into the following districts, to wit: All lots situate below the cross street running from the river Savannah, between the market-house and the house of Mrs. Fox, to be called and known as district number one; all the lots between said street, and the cross street running from the said river, between the house of Mr. Andrew Jones, and the house occupied by Collin Reed and Company to be called and known by district number two; and all the lots above that street, including the village of Springfield, shall be called and known by district number three."

We may pause here to remark that this much of the act throws a strong light on the limits of the city in 1798. The village of Springfield was located about where the upper market formerly stood, that is, at Marbury street, and by the act of 1783, as will be remembered, the western boundary of Augusta was at or about Jackson street. This left an intervening space between the town and village, answering to the area now comprised between Jackson and Cumming, or possibly Kollock street. This space, as well as the village of Springfield, then a few houses and a negro church, was included in Augusta, so that the act chartering the city also extended its limits to Marbury street.

In speaking, in his sketch "The Gander Pulling," of Augusta in 1798, Judge Longstreet, author of "Georgia Scenes," says: "Those who are curious to know where Springfield stood at the time of which I am speaking, have only to take their position at the intersection of Broad and Marbury streets, in the city of Augusta, and they will be in the very heart of old Springfield. Sixty steps west and as many east of this position will measure the whole length of this Jeffersonian republican village, which never boasted more than four dwelling houses; and Broad street measures its width, if we exclude kitchens and stables." And again: "In 1798 Campbell street was the western verge of Augusta, a limit to which it had advanced but a few years before, from Jackson street. Thence to Springfield led a large road, now built up on either side, and forming a continuation of Broad street. This road was cut across obliquely by a deep gully, the bed of which was an almost impassable bog, which entered the road about one hundred yards below Kollock street on the south, and left it about thirty yards below Kollock street on the north side of now Broad street. It was called Campbell's Gully, from the name of the gentleman through whose possessions and near whose dwelling it wound its way to the river."

The form of government established by the charter was this: the first and third districts were to elect two members each; the third district was to elect three; these members were out of their own number, or from the citizens at large, to select an intendant of the city, and the intendant and members were to be known and styled by the name of "The City Council of Augusta." Any person elected intendant and refusing to serve was to forfeit the sum of thirty

dollars to the city; a member of council refusing was to pay twenty dollars. Elections were to be annual, and only freeholders or leaseholders were competent to vote or hold office. The powers of the council extended to making any "by-law or regulation that shall appear to them requisite and necessary for the security, welfare, and convenience of the said city, or for preserving peace, order, and good government within the same," and they were empowered "to make such assessments on the inhabitants of Augusta, or those who hold taxable property within the same, as shall appear to them expedient." These franchises have been found so ample that the city, even in the long tract of ninety years has found little occasion to apply to the Legislature for extension of its authority. They have also been found flexible enough to meet all the varying exigencies of that long period. The early restrictions on municipal suffrage have long been removed; the intendant is now called mayor; the districts are called wards, and new ones have been added; but, in all its essential and substantial parts, the charter of 1798 is still the fundamental law of the city. The first council consisted of Messrs. George Walker, James Pearre, Robert Creswell, Andrew Innis, Isaac Herbert, and William Longstreet, and Thomas Cumming was chosen intendant. For a few years there is a break in our municipal records, but, beginning with 1803, we have a complete list of the chief magistrates of the city to date. From the opening of the nineteenth century, the history of Augusta is that of a steady and continuous development, despite war, flood, conflagration and fever. As if, in her early days, she had had her quantum of hostilities, the actual tramp of contending forces was never heard in her streets, nor was the torch ever applied to her houses. Such sufferings as she had were reflected, and her history during this period, while interesting, is not marked by any of the terrible and bloody incidents of her early days.

The opening of the nineteenth century was marked in Augusta by the rise of the cotton industry.

In 1791 the entire export of cotton from the United States was but 189,500 pounds, all told, or about 379 bales; but, at that time, an inventive genius was at work on a machine destined to revolutionize the fictile industries of the world. Eli Whitney was born in Westburough, Mass., on December 8, 1765, and, after completing his education at Yale, came to Georgia, with a view of entering the legal profession. He made his home with the widow of General Greene, the Revolutionary hero; and, as tradition has it, had his attention directed by that lady to the subject of a machine for preparing cotton for market. In those times the seed was laboriously and imperfectly separated from the lint by hand, and Mrs. Greene seems to have foreseen that important results would follow a speedier process. Young Whitney worked out the idea, and in 1793 received a patent for his famous cotton gin. His experiments were made in and near Augusta, and about two miles south of the city is still to be seen the dam used by him to run his works.

Sometimes it is said that Whitney is not the real inventor of this device, but purloined the idea from its original author, the statement being that a citizen of South Carolina constructed a gin toward the close of the eighteenth century, and that Whitney, surreptitiously gaining access to his workshop, carried off the plan and constructing a machine patented it as his own. This story is told with great circumstantiality, and the house in which the machine was originally constructed is said to be still standing within sight of Augusta, in Hamburg, on the left hand side of the road, just as you cross the Savannah River bridge.

The contemporaneous history of Whitney's times, however, shows pretty clearly that he is really the inventor. The patent was issued him in 1793, and by act of December 19, 1801, (5 Statutes South Carolina, page 427) the Legislature of South Carolina purchased from him the right to use his patent in that State for the sum of $50,000.

In the Augusta *Herald* of December 30, 1801, the editor mentions the passage of this act, and says: "In the course of the negotiations between the Legislature of South Carolina and the patentee, we understand that every satisfactory evidence of the originality of the invention was produced, and its principles so fully explained by the ingenious inventor that little or no diversity of opinion existed as to the propriety of making the contract."

Now, if Whitney had really robbed a citizen of South Carolina of the invention, it is hardly likely that the Legislature of that very State would, but eight years after, have permitted him, as against one of its people, to profit by the wrong. The statement, just quoted, that during the negotiations between Whitney and the Legislature, "every satisfactory evidence of the originality of the invention was produced," seems to justify the inference that some question may have been raised, but if so, the Legislature was so fully satisfied on investigation of Whitney's right, "that little or no diversity of opinion existed as to the propriety of making the contract."

The strength of this contemporaneous testimony can hardly be overcome, but, if more were needed, we find it in two acts of the Legislature of Tennessee, one passed in November, 1803, and the other in September, 1806 The act of 1803 is modeled on the South Carolina statute of 1801, save that the price agreed on was but $35,000; and in 1806, in order to make the act of 1803 more fully operative, there was passed "an act to carry into effect a contract between the State of Tennessee and Eli Whitney and Phineas Miller." The preamble to this act also indicates that some question was made as to Whitney being the real inventor, and shows that, a second time, the issue was found in his favor, reading thus:

"Whereas, it has been made to appear to the satisfaction of this General Assembly that Eli Whitney, from whom this State purchased the patent right of a machine for cleaning cotton, commonly called the saw gin, is the true inventor of said machine, therefore," etc., etc.

The new invention at once gave a tremenduous impetus to the cotton interest. As early as 1796 the Legislature of Georgia passed "an act for the inspection of cotton," a sure proof of the product being, even at that day, regarded as a staple. In 1798 another act was passed to encourage cotton manufactures, and in the next year Governor Jackson informs the General Assembly, in his annual message, that "the article is rapidly advancing to the head of American exports, and that Georgia cotton is taking the lead in most foreign markets."

At the September term, 1800, of Richmond Superior Court, the grand jury say in their general presentments: "The article of cotton having become a principal staple of this State, in the packing and bagging of which considerable frauds have been committed, to prevent which we recommend legislative interference."

From this presentment it is quite clear that, as early as 1800, Augusta was quite a cotton emporium. As to the complaints of false packing, it is not unlikely that, in the then infant state of cotton culture and preparation for market, much of what is put down as deception was really due to ignorance. It adds to this view that the complaint was not confined to Georgia, since we read in an Augusta paper of September 25, 1800, that the merchants of Charleston appointed a committee to consider how to protect the credit of South Carolina cotton, which committee reported that they found no inspection law necessary, but would recommend an act requiring that the name of the producer and the locality where raised be stamped upon the bags.

We have already stated that in 1791, two years before the invention of the gin, the entire export from the United States was but 189,500 pounds, or about 379 bales, all told. For the year ending October 1, 1800, the export from Georgia alone was 3,444.420 pounds, or 6,889 bales.

In 1802 a Liverpool price current quotes Georgia sea island cotton, 26 and 35d; upland, 14½ and 15. In 1806 the Augusta quotation was 15 and 15¾ cents; in 1808, it was 12 and 13; in 1810, it was 10 and 11¼; figures intimating a rapid increase in acreage and yield. The development of this staple gave a great impetus to Augusta. Huge warehouses were erected, and foundations, broad and deep, were laid of the immense cotton business the city now possesses.

One of the events of 1800 in Augusta was the death here of the admiral of the American navy during the Revolutionary War. In the Augusta *Herald*, under date of July 16, 1800, we read this:

"Died, on Friday last, of a violent billious remittent fever, Commodore Oliver Bowen. As a mark of respect for the services rendered by him in the American war his remains were interred the next day with military honors, by the Augusta Volunteer companies of Infantry and Rangers."

This ancient worthy, one of the few naval heroes of the Revolution, lies buried in St. Paul's churchyard in Augusta, where his tomb may be still seen.

The schedule of the Augusta and Savannah stage coach line of this period is as follows: Leave Augusta, Saturday 7 A. M.; arrive at Savannah on Monday at 9 A. M., fifty hours to the one hundred and thirty-one miles; fare nine dollars, with fourteen pounds baggage; all over, seven cents per pound.

The fervor of the spirit of '76 at this time is something remarkable. The Fourth of July was one of the institutions of the country. The military fired salutes, the orator of the day exhausted rhetoric in adulation to "Columbia," and the toasts at the banquet were something astonishing, as witness these choice extracts: "The Day—may it always frown on Royalty;" "May the wing of liberty never lose a feather;" "The American Eagle—may she hold out her olive branch to all men, so long as consistent with her dignity and honor, but not a moment longer." Rather a curious contemporaneous exposition of the sex of the national bird.

We find that Augusta had a Tammany Society, and that this toast is given at its annual dinner: "St. Tammany, the tutelary saint of America; may his example teach us to prefer death to the loss of liberty."

In 1803–4 John Murray was intendant, but the municipal annals present nothing of interest

In 1805 William J. Hobby was intendant. This gentleman was long a resident of Augusta; carried on the business of a stationer and journalist, and was for years editor of the *Herald*.

In 1806 General Thomas Flournoy was intendant. He was one of the commissioners who ran the boundary line between North Carolina and Georgia, and during his term of office quite a breeze of war agitated Augusta. The *Chesapeake* was fired into by the *Leopard* and forced to pull down her flag. The American vessel was not cleared for action and fired but one gun, that being discharged by a coal which an officer took with his fingers from the cook's galley. The indignation throughout the country was intense, and President Jefferson declared it unequaled by anything that had occurred since the firing on the militia at Lexington in 1775 Captain John Neilson of the Augusta Rangers, and Captain George W. Evans, of the Augusta Independent Blues, tendered their services to the president, who responded in a handsome letter of thanks.

In 1808 John Catlett became intendant, and the city council gave a curious exhibition of their powers, passing an ordinance to prescribe an "assize of bread," providing that when flour was six dollars per barrel, the twelve and one-half cent loaf should weigh two pounds and nine ounces; and the six and one-fourth cent loaf, one pound and four ounces. If of fine flour, the weights were to be two pounds and thirteen ounces, and one pound and six ounces. In this year Mr. William Longstreet, who as we have already seen, was president of "The Augusta Association of Mechanics," operated a steamboat on the Savannah River opposite Augusta. As early as 1788 the General

Assembly had given him a patent on an invention of this kind, and in 1790 he reports to the governor that he is making satisfactory progress in perfecting his discovery. Mr. Longstreet also operated successfully a steam cotton-gin and saw-mill in Augusta long before this date. The evidence is very strong that the honor of the invention of the steamboat belongs to him. In the Augusta press of this date we also find mention of another invention which seems to have been the germ of the sewing machine. "It consists of a small wheel and pinion, a spindle, a fly to conduct the thread on the broach, and a temper pin to regulate the velocity of the broach, beside a rock-head on which the raw material is fixed. The whole machine is worked by a handle."

From 1809 to 1811 Joseph Hutchinson was intendant. He was the first clerk of the city council of Augusta, and under his administration the city limits were enlarged and defined, and some useful regulations made. A new row of lots was added to the city on the south side of the city, parallel to Telfair street, and the new street was named Walker, after Freeman Walker, afterwards the first mayor. On January 13, 1811, Augusta was visited with an earthquake, the vibrations continuing till July.

In 1812 James S. Walker served as intendant for a portion of the year, Seaborn Jones filling out his term, and being chosen intendant in 1813 for the full term. Mr. Jones was a lawyer of eminence, and long prominent in public affairs. He was one of the board of trustees of Augusta in 1790, and in 1825 during the Indian disturbances in Upper Georgia, was one of the commissioners charged with their settlement.

In 1812 Governor Matthews died in Augusta. He was a soldier of distinction in the Revolution, and by his undaunted courage made his regiment, the Ninth Virginia, one of the best in the Continental service. At the battle of Brandywine, this regiment and one other stood firm amid the first disastrous rout, and thus enabled Washington to rally the rest of his troops. At Germantown Governor Matthews attacked the British with such fury as to put their best grenadiers to flight, and captured an entire regiment. The governor was very proud of his military record, and used to swear that he and George Washington had saved the country. He was twice governor of Georgia, and during his last term signed the Yazoo Act. Tradition says that his secretary, who was violently opposed to the bill, dipped the governor's pen in oil so it would not write, and his excellency was compelled to cut a new quill before he could append his name. Notwitstanding his signature of the bill, Governor Matthews was always popular, the people feeling he was a rough, uneducated soldier, who had been overreached by the land speculators lobby. In person this eccentric executive was short and stout, red faced and fair-haired. His head was thrown back *a la* game cock, and no man on earth was his superior but George Washington. Once the Legislature had some doubts of his election. "What are these fellows about," quoth he, "that they do not

let me know they are organized and ready to receive my message." His secretary replied they were discussing his election. "By the Eternal!" said the governor, "if they don't recognize me, I'll cut an avenue from this office through them!" After Governor Matthews's second term President Adams nominated him for governor of the Mississippi Territory, but withdrew the nomination.

The governor at once set out for Washington, in top boots, huge ruffles at wrists and breast, and a long sword at his side. On his arrival in Philadelphia, then capital of the United States, he made directly to the president's house, hitched his horse, and gave a thundering knock at the door, his revolutionary sword at his thigh, and three-cornered cocked hat on his head. On the servant opening, he demanded to see the president. The answer was that the president was engaged. Quoth the governor to the lackey, "I presume your business is to convey messages to the president. Now, if you do not instantly inform him that a gentleman wishes to see him, your head shall answer the consequences." The servant reported that a strange old fellow was at the door who would take no denial. "Let him in," said Mr. Adams, and in strode the governor in a towering rage. "I presume you are Mr. Adams, president of the United States." The president bowed. "My name is Matthews, sometimes called Governor Matthews; well known at the battle of Germantown, however, as Colonel Matthews of the Virginia line. Now, sir, I understand that you nominated me in the Senate of the United States to be governor of the Mississippi Territory, and that afterwards you took back the nomination. Sir, if you had known me, you would not have taken the nomination back. If you did not know me, you should not have nominated me to so important an office. Now, sir, unless you can satisfy me, your station as president of these United States shall not screen you from my vengeance." Mr. Adams forthwith set about the pacification, and soon satisfied the simple-hearted old man no insult was meant him. To cement the good understanding, Mr. Adams promised to appoint his son to a Federal office in Georgia, the governor complacently remarking, "My son John is a man about my inches, with the advantages of a liberal education, and for his integrity I pledge my head." In 1811 Governor Matthews was commissioned by President Madison to compose some disturbances with a number of men who had thrown off the Spanish yoke in Florida. Misunderstanding his instructions, he made a formal treaty with them, which Mr. Madison disavowed. Once more in high dudgeon the governor set out for the capital to see the president; but old age, the fatigues of his journey, and his terrific state of excitement prostrated him at Augusta, where he died in 1812, and is buried in St. Paul's Churchyard.

In 1814 Joseph Hutchinson served another term as intendant. The benefits of experience in office were again demonstrated, as in this year we find further legislation looking to the improvement of the city, the surveyor-gene-

ral being directed to lay off new streets, and remark the lines of old ones, that the invariable policy of the city from its foundation, to have its streets wide, straight, and regularly built upon, should be maintained.

In 1815 and 1816 Walter Leigh was intendant. In the earlier portion of his administration considerable distress prevailed in mercantile circles. The War of 1812 ended suddenly, and many merchants who had laid in stocks at the inflated war prices, calicos at one dollar per yard, and salt at three dollars per bushel, were ruined. The development of Augusta as a municipality, however, kept on. In 1816 a new range of lots on the south side of Walker street, and running the entire length of the city was laid out, and the new street on which it abutted was called Watkins, after Robert Watkins, an eminent lawyer of the Augusta bar, and compiler of "Watkins's Digest," the earliest compilation of Georgia laws.

In 1817 Freeman Walker was chosen intendant. By act of this year the style intendant was changed to mayor, and Major Walker was chosen mayor in both 1818 and 1819. The portrait of this gentleman is to be seen in the mayor's office, in the gallery of pictures of the city's chief magistrates for nearly eighty years back, and his handsome, intelligent face and laughing eye bear out the tradition of his wit and eloquence. He is said to have been one of the mad wags whose pranks are related in the famous "Georgia Scenes," and to be the original of Freeman Lazenby in the laughable "Wax Works" sketch. He was a lawyer of fine abilities, was distinguished for his eloquence in Congress, and served in the United States senate from December 8, 1819, when he resigned the mayoralty of Augusta to accept that position, to November 21, 1821, when he resigned from the senate. Walker county is named after him. In 1818 Augusta was extended from Springfield to Hawks' Gully.

In 1819, 1820, and 1821 Nicholas Ware was mayor. On the resignation of Major Walker in 1819, in order to enter the United States Senate, Mr. Ware was chosen to succeed him and served until November 21, 1821, when he, in turn, resigned the mayoralty in order to enter the United States Senate, it being a curious coincidence that Mr. Ware succeeded Major Walker in both the mayoralty and the senate. Mr. Ware served in the senate from November 10, 1821, to his death, November 4, 1824. It is not often that any city furnishes from its mayoralty two United States senators in succession, but such, in this case, is the remarkable record of Augusta. It remains to add that both these distinguished citizens had the honor of having counties named after them. Ware county, created in 1824, having been named after one, and Walker, organized in 1833, after the other.

During the administrations of Mayors Walker and Ware there was legislation of importance to the city. The intendant became the mayor; the qualifications of voters that they should be freeholders or leaseholders, was repealed, and it was only required they should have the qualifications requisite

to vote for a member of the General Assembly, and have resided twelve months in the State and six months in the city preceding the election; the election of mayor was taken from council and given to the people.

In 1823 Robert Raymond Reid was elected mayor of Augusta and re-elected in 1824. Mr. Reid was born in South Carolina in 1789, but early removed to Augusta and was admitted to the bar. At the age of twenty-seven he was made judge of the Middle Circuit, and then served in Congress from 1818 to 1822. At the close of his last term became mayor; was then reappointed judge of the Middle Circuit; then became judge of the City Court of Augusta; in 1832 was appointed by President Jackson United States district judge in Florida; in 1839 was appointed by President Van Buren governor of the Territory of Florida, in which office he died in 1841.

In 1825 and 1826 another celebrated judge, William W. Holt was elected mayor of Augusta. For very many years after his mayoralty Judge Holt sat on the bench of the Middle Circuit, the very embodiment in learning and severity of the old English common law justice. He was deeply learned in his profession and strove always to ascertain and apply the law, holding the scales of justice inflexibly even. During his mayoralty the famous election excitement of Troup and the Treaty swept over Augusta, as over the State. The *casus belli* was whether a treaty made by Governor Troup with the Indians, touching a cession of Cherokee Georgia, should stand, or give place to one negotiated with them by the United States government. Governor Troup and General Clark were the opposing candidates for governor. The contest was close: Troup, 20,545; Clark, 19,362—Troup's majority, 683; and the temper in which it was conducted may be gathered from a couple of toasts given at the time. It was said Governor Troup had Indian blood in his veins, and in allusion to this a Clark partisan proposed this sentiment: "General John Clark—a former trouble to the Indians, a present trouble to some of their kindred." Up sprang a "Troup and Treaty" man with the quick rejoinder: "George M. Troup—may every hair on his head be a standing army, and every soldier be armed with a thundering cannon to drive his enemies to h—ll."

During Mayor Holt's time LaFayette visited Augusta. After a tour through the North, General LaFayette landed at Savannah on March 19, 1825, and was met by Governor Troup, who, pursuant to a joint resolution of the General Assembly, was there to welcome him as the guest of the State. As the general stepped on shore, the governor addressed him as follows: "Welcome, LaFayette. 'Tis little more than ninety years since the founder of this State first set foot on the bank on which you stand. Now four hundred thousand people open their arms to receive you." After the welcome Governor Troup accompanied him to Augusta, which he reached a few days after arriving in Savannah, and was received with great ceremony. A procession met him at the steamboat landing, as follows: "Music; chief marshal and staff;

committee of arrangements; a marshal; detachment of hussars; General LaFayette in a phaeton drawn by four horses; son and suite of General LaFayette in a barouche drawn by two horses; troop of hussars; a marshal; clergy, officers and soldiers of the Revolution; a marshal; general officers and staff; citizens in carriages; a marshal; citizens on horseback; a marshal; music; United States artillery; volunteer battalion; a marshal; citizens; a marshal."

The mounted men rode four abreast; citizens walked six abreast. The procession moved from the bridge through Centre street to Greene, and up Greene to the city hall, where the visitor was welcomed by the mayor; thence he was escorted through Washington and Broad streets to the apartments prepared for him at the Planters' Hotel. As the marquis landed, Colonel William Cumming, chairman of the committee of arrangements, welcomed him. Then Mr. DeLaigle, on behalf of the French citizens of Augusta, addressed him in French, to which the marquis replied in the same language. A delegation from Alabama then invited him to visit that State, and finally the mayor formally welcomed him to Augusta. The marquis being a Mason, was addressed by John W. Wilde, grand commander of Georgia Encampment No. 1. A banquet followed, at which the distinguished visitor was toasted as follows: "The man whose sovereignty is above that of kings—LaFayette, who reigns in the hearts of a whole people." Then came a grand ball, after which the marquis departed for the State capital. The military companies of Augusta at this time were Richmond Hussars, Captain Boisclair; Georgia Fencibles, Captain W. W. Holt; LaFayette Riflemen, Captain Caldwell; Hamilton Riflemen, Captain Cumming; Irish Volunteers, Captain Cormick, and Georgia Blues, Captain McKinne.

In 1827, in which year the Savannah River was frozen over, Samuel Hale was elected mayor and continued to be re-elected each year till 1837. Mr. Hale was a successful merchant, and his long administration is memorable in many ways. Augusta had had two notable industrial epochs before—the rise of the cotton industry about 1800, and the advent of the steamboat in 1817, the *Enterprise*, of Savannah, coming up the river in that year; and in 1833, during Mayor Hales's time, the railroad put in an appearance. The first one constructed in America was the South Carolina road, from Charleston to Hamburg, opposite Augusta. It was begun in 1830, and by July, 1833, was completed and in running order. Its stock, which, up to that time, had been a drug in the market, rose to 105. The fare from Hamburg to Charleston, one hundred and thirty-six miles, was $6.75, with seventy-five pounds baggage; for less distances, five cents per mile. By November, 1833, the company had six engines, the "Best Friend," having four wheels and costing $4,000; "West Point," four wheels, costing $3,250; and the "South Carolina," "Charleston," "Barnwell," and "Edisto," all with eight wheels and costing, the first $5,000 and the others $5,750 each.

The success of this enterprise at once stimulated Augusta. A public meeting for July 20, 1833, to consider of a railroad from Augusta to Athens, the original of the now far-famed Georgia Railroad, was called by Samuel Hale, W. W. Montgomery, James McLaws, William T. Gould, and J. P. King. At the meeting Messrs H. H. Cumming, W. W. Montgomery, James Harper, James W. Davies and William C. Micou were appointed a committee to organize a company.

Similar meetings were held in various portions of the State; and, from this time out, the railroad became a fixed fact. In 1836 the locomotive whistle was invented; in 1839 the South Carolina trains left Hamburg at six A. M. and reached Charleston at three P. M.; rate of speed, fifteen miles per hour; fare, $10. The same year the Georgia Railroad only reached from Augusta to Greensboro, leaving Augusta at six P. M. and arriving at Greensboro at one A. M.; speed, twelve miles per hour; fare, $4.25. During the same long administration troubles occurred in Florida and Texas, in the former with the Seminoles and in the latter with the Mexicans. The president called for thirty-five hundred men to march against the Indians, and, as usual, the Augusta companies came to the front; the Richmond Hussars put seventy sabers in the field, and the Richmond Blues marched out one hundred and six strong. As they marched out Washington street on their way to Savannah the town assembled to see them off. There were volunteers also for Texas, and when at the fall of the Alamo the famous Davy Crockett was slain, the Augusta paper gave him a curious and yet touching eulogy, which may here be reproduced:

"Colonel Crockett—all flesh is grass, saith the preacher, and as the flower of the field, it passeth away. It is even so. He that came off victorious from a hundred contests with the stern chieftains of the forest; at whose approach the bear and panther shook with afright, and the deer and buffalo fled as from the messenger of death—the redoubtable Crockett is no more. Fallen is Alamo! Fallen is the hero of Tennessee! The places which have known him shall see him no more—the halls which have re-echoed with the thunders of his eloquence are silent, and the wildcat and the alligator no longer tremble at the sound of his carabine. The victor is overthrown, the champion is dead. He has gone ahead of his competitors to that land from whose bourne no traveler returns. May he rest in peace."

Under the administration of Mayor Hale a question of jurisdiction which had rankled to the injury of the city since 1798 was finally satisfactorily adjusted It will be remembered that prior to the grant of the charter the municipal government had been in the hands of a board of commissioners who were at once trustees of the town and of the academy. When the city council was organized to administer the municipal government the trustees of the academy still claimed title to all the commons. This the council disputed, and,

by act of 1835, the trustees were directed to convey the commons to the city on terms agreed on between the two. All that part of the city west of Campbell street was erected into a new district, or ward, number four; the fire department materially strengthened, Augusta having been devastated by a great fire in 1829; and the military companies encouraged. It may also be noted that during this administration the famous "Georgia Scenes" appeared; most of the sketches being located by Judge Longstreet in and about Augusta.

In 1837 John Phinizy was elected. This venerable citizen lived to the advanced age of ninety-four, and died only a few years since. To the last he retained his mental faculties unimpaired, and but a short time before his death gave some interesting testimony before the United States Senate Committee on education and labor, which we here reproduce:

"I was born in Oglethorpe county, Ga., in 1793, very near the Indian line. The country was sparsely settled, and there were almost as many Indians as whites. I recollect that the Indian chief used to ride me on his knee. They were a very honest and well disposed people; far more so than the negroes. But the white people wanted their lands, and therefore drove them out of the country. I came to Augusta in 1800, riding here in a sulky with my father. We had no carriages or buggies in those days. I had never seen any large collection of houses, and looked upon Augusta as the biggest place in the world. Soon after I came here I was sent to Franklin College, at Athens, Ga., now the State University, and graduated in 1811. I am the only living representative of that class. I cannot give you much positive information about the cotton crop in the first part of the century, as I was so young at the time, but I recollect that it was not thought much of and very few planted it. About 1810, I think, I used to see small wagons coming to town with a bale of cotton, two or three barrels of flour, and a hogshead of tobacco, revolving on a sort of axis, pulled along behind. There was far more tobacco made in this section then than cotton. One planter, who made 20,000 pounds of seed cotton, was thought to be doing a wonderful thing. The seed was either picked out by hand or pushed out by rollers, and the neighbors used to gather at each other's houses to help in getting out the seed. I own the place now where Whitney made his first experiment with the cotton-gin. He built a dam across a small stream and ran the gin by water. The dam is standing to this day, and the water of the stream turns an improved gin. Large quantities of tobacco, made in the vicinity, were brought to Augusta during the first quarter of the century, but it soon gave way to cotton. Now there is no tobacco made about here. It was about 1811 that cotton first began to come into prominence, and its cultivation increased very rapidly. In 1818 I had a large cotton warehouse myself. A long wooden building, that cost one thousand dollars to build, rented for eighteen hundred dollars the first year. Centre street was so packed with cotton wagons in 1818 that at times it was completely blocked. The

average yield of cotton to the acre at that time was about the same as now, but the planters used no fertilizers. Everybody had now learned to make cotton and very little else was thought of. Property in Augusta, and especially near the cotton warehouses, increased rapidly in value. These are about all the points I could give you in regard to the early history of cotton in this section."

In 1837 Augusta's cotton receipts were one hundred thousand bales. In 1838 Mayor Hale served another term, and was succeeded in 1839 by Alfred Cumming, afterwards governor of Utah. During Mayor Cumming's term Augusta had a severe visitation of yellow fever, there being from fifteen hundred to two thousand cases and two hundred and forty deaths. A fuller account of this epidemic appears elsewhere in this work. In 1840 Dr. Daniel Hook was mayor, and in 1842 served another term. In 1841, 1843, 1844 and 1845 Martin M. Dye was mayor. During Mayor Hook's first term Augusta was visited with a terrible freshet, the worst then known since the terrible overflow of 1796, called the "Yazoo Fresh." On May 28th the Savannah River rose thirty-five feet above low water mark. Broad street was from two to ten feet deep, and floated forty bale boats. Some one thousand bales of cotton were swept away, and between $500,000 and $1,000,000 damage done. A house containing a woman and her four children was swept away. All perished but one little girl. The captain of a Petersburg boat chased the house three miles, and finally saved the child, almost exhausted, but still clinging to her pet dog.

During Mayor Dye's first term the main office of the Georgia Railroad Company was moved from Athens to Augusta. At this time also was passed the famous "Algerine law," as it is termed. This was an act to provide a sort of upper house for the city council in the shape of a board of aldermen, two from each ward. The sting of the act lay in the fact that no one was eligible to be, or to vote for, an alderman unless he owned one thousand dollars' worth of real estate or had paid at least twenty-five dollars city tax. In 1842 the act was repealed. During Mayor Dye's administration the Augusta Canal was commenced. The first survey was made in the fall of 1844, and in May, 1845, the work was begun. The plan of the canal was to be five feet deep, twenty feet wide at the bottom and forty feet at the surface of the water. The total length was nearly seven miles, and on November 23, 1846, the water was let in. Some of the citizens of Augusta resorted to litigation to stop this public work, but the courts decided against them, finding the authority of the city council to undertake such enterprises in the charter of the city. At this time Augusta had a population of 7,502, and its trade, relatively speaking, was immense. There were twelve large warehouses capable of containing 70,000 bales, and three new ones were begun. The wharfage front was 2,500 feet, and had cost $150,000. The river and wagon trade was enormous, and, in 1845, the cotton receipts ran to the unprecedented figure of 212,019 bales.

The revenue from the bridge the same year was $23,678. The foundations of many fortunes were laid at this golden epoch, which is still further memorable as giving the city its first railroad, the Georgia road tapping the city in 1845.

In 1846 and 1847 Dr. Lewis D. Ford, an eminent physician, was mayor of Augusta. In his first term the Mexican War broke out. A regiment was raised in Georgia, and in this regiment went the Richmond Blues, one hundred and five strong, this being the same gallant command as had volunteered in the Florida War. The city council gave fifteen dollars per man towards fitting out troops. In Dr. Ford's second term, the pioneer of the city's now numerous cotton manufactories, "The Augusta Cotton Mills," was organized. The portrait of Dr. Ford is to be found in the mayor's office. He was a man of patriarchical appearance, and his heart was kindness itself.

CHAPTER XVII.

Mayors Garvin, Miller and Dearing — Central Railroad Comes in — Mayor Conley — Mayor Blodgett — Augusta Waterworks — The War Opens — Capture of Augusta Arsenal — Georgia's Wonderful Prosperity in 1860 — First Regiment — Augusta's Volunteers — Her Dead — Confederate Monuments — Ladies' Memorial Association — The Salt Famine — Speculation — Gunpowder Works — Fury and Suffering of the War — Confederate Money — Lee's Surrender — Riot of 1865 — Mayor May — Military Rule — Mayor Gardiner — Military Mayor — Reconstruction — Mayor Russell — Mayor Allen — Mayor Estes — Enlargement of Canal — Mayor Meyer — Mayor May — Vast Extension of Corporate Limits — Freshet of 1888 — Exposition — Augusta's Double Tax — Retrospect — Proud Record of a Century and a Half.

IN 1848 Dr. Ignatius P. Garvin was elected mayor. He, also, was a physician of eminence, was professor in the medical college, and about this time edited the *Southern Medical and Surgical Journal* in conjunction with the celebrated Dr. Paul F. Eve, who subsequently removed to Nashville, Tenn. In 1849 James B. Bishop was mayor; in 1850 and 1851, Thomas W. Miller; and in 1852 and 1853, still another physician, Dr. William E. Dearing. This gentleman was one of the most accomplished herpetologists that ever lived in the United States. His knowledge of the nature, habits and species of the serpent tribe was wonderfully accurate and extensive, and it is greatly to be regretted, in the interests of science, that he did not commit his fund of information in this wierd and yet interesting field to book form.

In 1854 Abner P. Robertson was mayor, and this year is memorable for a yellow fever epidemic, of which we speak more at large elsewhere in this work, and for the tapping of the city by the Augusta and Savannah Railroad,

now known more generally by the name of its lessor, the Central. In this year also the city limits were extended so as to take in that extensive tract lying east of the Carnes road and north of South Boundary; and the city council had a controversy with the South Carolina authorities in reference to a claim by certain grantees of that State to collect tolls on the Carolina side, which was decided in favor of the city.

In 1855 Dr. Dearing served another term as mayor, and in 1856 General George W. Evans was elected.

From 1856 to 1858 Benjamin Conley was mayor. Mr. Conley was a successful merchant of Augusta, and, after the war, was for a short time governor of Georgia. During Mayor Conley's first term the registration of voters for municipal elections became the law.

In 1859 and 1860 Foster Blodgett was mayor. His administration is signalized by the introduction of the waterworks system. As far back as 1818 the waters of Turknett Springs had been used. Mayor Hale, among his other public services, had much enlarged and improved that system, and from him the city bought it; but, with the development of the municipalty, other resources became necessary and these Mayor Blodgett supplied. Since his administration, and notably since the enlargement of the canal, the water supply of Augusta has been largely increased. The source of supply is the Savannah River It is a tradition that "the man who once drinks the water of this river is certain to return to it," and the purity of the element, as shown by an analysis made by Dr. Joseph Jones, an eminent chemist, may be one reason for the old saw. The analysis is as follows:

Solid matters	4.2936
Carbonate of lime	0.7544
Carbonate of magnesia	0.0250
Sulphate of lime	slight trace
Chloride of Calcium	slight trace
Chloride of magnesium	slight trace
Phosphate of lime	slight trace
Chloride of sodium	0.0436
Sulphate of soda and potassa	0.0489
Silicic acid, silicate of alumnia, silicate of potassa, silicate of soda, together with a small proportion of organic matter and traces of ammonia	3.1210

Purity of water is not the only requisite of a water supply. Quantity available is an important consideration, and in this too Augusta is in the front rank, comparing favorably not only with other Georgia cities but with most cities of the entire country. Before the river water is pumped through the city it goes from the canal into large settling basins covering acres of ground, where all suspended matters settle to the bottom, and it is furnished clear and free from impurities. The waterworks pumps have a capacity of 8,000,000 gallons per day, if such a mammoth supply should be needed. The daily

supply now furnished is 2,500,000 gallons per day. Atlanta furnishes only 1,641,113 gallons to a population which she claims is nearly double that of Augusta, and Charleston furnishes but 600,000 gallons.

In 1861 the great drama of the war opened. On the 19th of January, 1861, the Georgia Convention adopted an ordinance of secession, and on the 24th the United States arsenal at Augusta was surrendered to the State troops. At the time of the passage of the ordinance of secession Captain Arnold Elzey, of the United States army, with a force of eighty men, was stationed at the arsenal, and despite the passage of the ordinance the usual military routine of the post was continued. The sentry paced his round, and the Stars and Stripes were regularly hoisted at sunrise to flutter in the breeze all day. This was too much for the excited mind of the day. Had not Georgia seceeded and resumed her sovereignty; and why then were another uniform and flag to be seen upon her soil? On the 22d of January Governor Brown arrived in Augusta with a staff officer and on the next day the following communication was sent to the Federal commandant:

"AUGUSTA, Ga., January 23, 1861.

"Captain Arnold Elzey, U. S. A., Commanding Augusta Arsenal:

"SIR—I am instructed by his Excellency Governor Brown, to say to you that Georgia having seceded from the United States of America, and resumed exclusive sovereignty over her soil, it has become his duty to require you to withdraw the troops under your command at the earliest practicable moment, from the limits of this State.

"He proposes to take possession of the arsenal, and to receipt for all public property under your charge, which will hereafter be accounted for, on adjustment, between the State of Georgia and the United States of America. He begs to refer to the fact that the retention of foreign troops upon the soil of Georgia, after remonstrance, is under the laws of nations, an act of hostility; and he claims that the State is not only at peace, but anxious to cultivate the most amicable relations with the United States government. I am further instructed to say that an answer will be expected to-morrow morning, at nine o'clock. I am, sir, very respectfully,

"Your obedient servant,

"HENRY R. JACKSON,

"Aid-de-camp, &c."

Captain Elzey refused to give up the arsenal and telegraphed the situation to Washington, receiving at midnight the following reply:

"WASHINGTON, January 23, 1861.

"Captain Elzey, Second Artillery, commanding Augusta Arsenal, Ga.:

"The Governor of Georgia has assumed against your post and the United States an attitude of war. His summons is harsh and peremptory. It is not

expected that your defense should be desperate. If forced to surrender by violence or starvation, you will stipulate for honorable terms, and a free passage by water with your company to New York.

"T. HOLT, Secretary of War."

On the refusal of Captain Elzey to surrender the arsenal Governor Brown had ordered out the troops about the city, and 800 were soon in line, but after the letter written giving the captain till next day to reply, the volunteers were dismissed till 9 A. M. on the 24th. At that time they re-assembled when the following communication came in:

"HEADQUARTERS, AUGUSTA ARSENAL,
"Georgia, January 24, 1861.

"SIR—I have the honor to inform you that I am directed by Captain Elzey, commanding this post, to say, in reply to the demand of the governor of the State of Georgia, made through you yesterday, requiring him to withdraw his command beyond the limits of the State: he begs to request an interview with his excellency, the governor, for the purpose of negotiating honorable terms of surrender at as early an hour this morning as practicable. I have the honor to be, very respectfully,

"Your Obedient Servant,
"J. C. JONES, Lieut. 2d Art., Adj.

"To Col. H. R. Jackson, Aid-de-camp."

Governor Brown and his staff, Colonel H. R. Jackson, Colonel William Phillips, Lieutenant-Colonel M. C. Fulton, Lieutenant-Colonel C. V. Walker, and Lieutenant-Colonel Henry Cleveland, rode out to the arsenal, and the following terms of surrender were agreed on: the United States flag to be lowered and saluted; the company to march out with military honors; a receipt to be given for the public property, with a view to future adjustment; and the company to retain its arms and property, to stay in its quarters till removal from the State, and to have passage to New York from Savannah. After these terms had been agreed on, Colonel William Henry Walker crossed the room to where Captain Elzey was standing and assured him he had done all a brave officer could have done. A silent pressure of the hand was the reply. The two officers had been classmates at West Point. Colonel Walker afterwards became a major-general in the Confederate service; was repeatedly desperately wounded and was finally killed in the battles around Atlanta. The preliminaries being settled, the garrison was drawn out and a salute fired from four field pieces to the United States flag. Thirty-three guns were fired, one for each State, including Georgia, and between the thirty-second and thirty-third discharge the flag descended from the staff. At three o'clock Brigadier-General Harris, with a detachment of the Washington Artillery and

Oglethorpe Infantry, took possession of the arsenal and raised the then State flag of Georgia, a pure white banner with a large, red five pointed star in the center. Salutes were fired with two guns belonging to the Washington Artillery: one for the sovereignty of Georgia; five for the seceded States; and fifteen for the prospective Southern Confederacy.

At the time the war opened, Georgia was developing enormously in wealth and prosperity. In 1856 the taxable property was $495,516,224, and in 1860 was $672,322,777, showing the stupendous increase of $176,811,533. The first year the increase was $33,000,000; the next, $41,000,000; then $70,000,000; and then $62,000,000. The value of slave property in 1860 being $302,694,855, left the value of other property $369,627,922; and deducting the slave increase, $92,260,221 from the total gain, shows that property other than slave had increased in the four years just prior to the war, from $285,076,610 to $369,627,922, a gain in four years of $84,551,312. Land had increased $30,000,000; city property, $9,000,0000; money, $30,000,000. This golden prosperity was sacrificed on the altar of war.

A regiment was soon called for to go to Pensacola, and two hundred and fifty companies volunteered their services. The State was wild with military ardor, and Augusta, as in times past, stood out among the foremost. Of the fourteen companies selected, Augusta furnished two, the Oglethorpe Light Infantry, Captain Clarke, and the Walker Light Infantry, Captain Camp. The fife and drum re-echoed constantly through Augusta; the sound of marching feet and the sharp command of the drill officers were heard everywhere. From April 1st to July 1, 1861, Augusta had sent forward eleven companies. Then came the battle of the first Manassas, which exalted the spirits of the South to the highest pitch. The news reached Augusta that night, and when read in the theater, a scene of indescribable excitement ensued Men cheered themselves hoarse; ladies fainted; yells of triumph and frantic inquiries for the fate of loved ones in the battle made a deafening uproar. The military ardor of the city already fervent, was stimulated to white heat. Other companies were hurried forward, and by July 1, 1862, Augusta and Richmond county had twenty-four companies, or over two full regiments in the field. The commands were Oglethorpe Infantry, Company A, 69 men; Company B, 66; Walker Light Infantry, 60; Blodgett Volunteers, 95; Confederate Light Guards, 76; Clinch Rifles, 94; Irish Volunteers, 80; Letcher Guards, 80; Independent Blues, 54; Montgomery Guards, 77; Georgia Light Guards, 94; Wilson Tigers, 116; Richmond Hussars, Company A, 86; Company B, 90; Washington Artillery, 64; Davis Musketeers, Schley Rifles, Crawford Rangers, Nisbet Volunteers, Vigilant Rifles, Richmond Rough and Readys, Baker Volunteers, Augusta Rangers and Milledge Artillery. Some six other companies were organized and sent forward. Out of a white population of 10,000 over 2,000 soldiers were raised; and of these 292 were killed or died in

the service. The streets were crowded and depots thronged with commands from other parts of the State and from Florida, Louisiana, Alabama, Texas and Mississippi hurrying to the front. Soon train loads of sick and wounded came back. Augusta became a great hospital center. Wayside homes were established for the disabled soldiers, and the ladies of the city strained every nerve to fit out the volunteer on his way to the front and nurse the wounded who returned.

The legislature of the State "*Resolved*, That the thanks of the General Assembly of the State of Georgia are due, and are hereby tendered to the ladies of the whole State, for their active, untiring and successful efforts to aid in clothing and making comfortable our soldiers in the field, and for their zeal and devotion in ministering to the wants of the sick and wounded, by which they have demonstrated that God's last, best gift is woman, and by which they prove, too, that they merit the Bible appellation of 'blessed.' "—"*Georgia Laws*, 1862," page 107.

This care ceased not with the war. When the struggle was over a Ladies' Memorial Association was formed which erected in Broad street the Confederate Monument, one of the handsomest war memorials in the country. It is seventy-two feet high, and from the top of the second section, twenty-five feet from the base, rises a simple, unbroken shaft forty-seven feet, presenting a singularly graceful and dignified aspect. At the four angles of the first section are placed statues of Generals Robert E. Lee, Stonewall Jackson, Thomas R. R. Cobb and William Henry Walker; the first two typifying the Confederacy, the third the State of Georgia, and the fourth Richmond county.

On the North side of the monument is the inscription:

"NO NATION ROSE SO WHITE AND FAIR,
NONE FELL SO PURE OF CRIME."

On the South side:

"WORTHY
TO HAVE LIVED AND KNOWN
OUR GRATITUDE:
WORTHY
TO BE HALLOWED AND HELD
IN TENDER REMEMBRANCE.
WORTHY
THE FADELESS FAME WHICH
CONFEDERATE SOLDIERS
WON,
WHO GAVE THEMSELVES IN LIFE
AND DEATH FOR US:
FOR THE HONOR OF GEORGIA,
FOR THE RIGHTS OF THE STATES,
FOR THE LIBERTIES OF THE PEOPLE,
FOR THE SENTIMENTS OF THE SOUTH,
FOR THE PRINCIPLES OF THE UNION,
AS THESE WERE HANDED DOWN TO THEM,
BY THE FATHERS OF OUR COMMON COUNTRY."

On the East side:

"CONFEDERATE DEAD."

And on the West side:

"ERECTED A. D. 1878,
BY THE MEMORIAL ASSOCIATION OF AUGUSTA,
IN HONOR OF THE
MEN OF RICHMOND COUNTY,
WHO DIED
IN THE CAUSE OF THE CONFEDERATE STATES."

On the pinnacle of the shaft is a statue, heroic size, of a Confederate private soldier. He is standing at ease, leaning on his musket, and gazing intently out in front of him, as if waiting the command to move forward into action.

The base of the monument is of granite, the shaft and statues of pure Italian marble. The work was executed in Carrara, Italy, and in its design, execution, and general appearance the monument is deservedly the subject of general admiration. It was erected by the Ladies' Memorial Association, at a cost of $17,331.35; and was unveiled on October 31, 1878, amid imposing ceremonies. The governor of the State, Hon. Alfred H. Colquitt, the hero of Olustee, and the widow of Stonewall Jackson, honored the occasion with their presence. The volunteer battalion, headed by the band of the Thirteenth United States Infantry, and a large number of cavalry commands, escorted the Confederate survivors, and about the platform hung the scarred and smoke-begrimed battle flags of the Stonewall Brigade, Cobb Legion, Washington Artillery, Fifth Georgia, Eighth Georgia, and Fifth and Twenty-seventh Virginia Infantry, as also the Confederate flag which was in the hands of General Bartow when he fell at the first battle of Manassas. The oration was delivered by Colonel C. C. Jones.

This beautiful monument is the result of untiring efforts on the part of the Ladies' Memorial Association. The original of this society was the Ladies' Relief and Hospital Association, organized during the war for the benefit of the sick and wounded soldiery. When the war ended and the hospitals were closed, the association took upon itself the duty of annually decorating the soldiers' graves in the city cemetery with flowers on the 26th of April, the anniversary of General Lee's surrender at Appomattox. In 1868 it was proposed to form a society for the purpose of taking care of those graves, and also of erecting a Confederate monument, and the Ladies' Memorial Association was organized with Mrs. Dr. John Carter, as president; Mrs. Dr. H. H. Steiner, as vice-president, and Mrs. John T. Miller, as secretary and treasurer. The financial depression following the war and the death of both president and vice-president prevented the association from doing more than taking care of the soldiers' graves, but in 1873 a reorganization was effected, and the following officers elected: President, Mrs. M. E. Walton (now Mrs. F. A. Timberlake); vice-pres-

idents, Mrs. J. M. Adams, Mrs. John M. Clarke, Mrs. J. J. Cohen, Mrs. J. T. Derry, Mrs. A. E. Dortic, Mrs. DeSaussure Ford, Mrs. H. W. Hilliard, Mrs. J. L. Lamar and Mrs. M. E. Whitehead; and secretary and treasurer, Mrs. John T. Miller. The association proceeded systematically to work. The Confederate dead were gathered into the soldiers' section of the cemetery, which was enclosed with a substantial stone coping. A fountain was placed in the center, and at each of the five hundred and forty graves a marble headstone. The cost of the work was $2,606.46; and when accomplished, the association turned its attention to the erection of a monument, with the result above stated.

In front of St. James Methodist Episcopal Church on Greene street, is another Confederate monument, erected in 1873, by the Sunday-school of that church, in memory of the twenty-three teachers and scholars who fell in the war. This monument is a very handsome cenotaph of white marble, and bears on it the names of two hundred and ninety-two slain Confederates. The cenotaph cost $5,400, and was unveiled on December 31, 1873.

A third Confederate monument is the huge chimney of the Confederate powder works on the canal. The works have been long taken down, but the chimney was preserved and still towers above the great factories which now surround it, while a marble tablet let into its side tells what it was and why it is preserved.

The vigorous blockade of the Southern ports by the United States navy was soon felt in the home life of the Confederacy and especially in the cities, always dependent on outside sources for supply. That prime necessary, salt, became almost unattainable. What would now be called salt "corners" and "syndicates" were formed by speculators. The price of the commodity rose enormously. The Legislature at once intervened, and at first tried to stimulate production by a system of bounties, offering a loan of $50,000, without interest, and repayable only on the restoration of peace, "to any company or corporation, which has been or may hereafter be established in this State for the manufacture of salt." This failing to meet expectations, the sum of $500,000 was appropriated for the purchase of salt for distribution among the people, and to enable the State to enter on the production of the article. Much other legislation was had to benefit the soldiers and protect the people from monopoly and speculation. No judgment was to be enforced against a soldier until three months after his discharge: the statute of limitations was suspended; it was made a crime to purchase clothing, shoes, leather, cloth, provisions, wheat, corn, flour, corn meal, meat, bacon, hogs, cattle, salt, bagging, twine, rope, or other articles of general use under false pretense that they were for the army; or to monopolize or charge extortionate prices for such articles; it was forbidden to raise more than three acres of cotton to the hand; it was also forbidden to make any spirituous or malt liquor out of corn, wheat, rye, or other grain, except for medicinal, hospital, chemical, or mechanical purposes;

and by subsequent legislation this inhibition was extended to sugar, molasses, syrup, sugar cane, honey, sweet potatoes, pumpkins, peas, Irish potatoes, or dried fruit, the penalty being a fine of from $500 to $5,000 and twelve months imprisonment. The sum of $400,000 was appropriated for the Georgia Relief and Hospital Association in providing medical attendance, hospital rooms, stores, supplies, accommodation and transportation for the sick and wounded, suffering and destitute soldiers of the State of Georgia; in establishing wayside homes for the same; and in collecting claims of Georgia soldiers or their estates. To provide clothes, shoes, hats, and blankets $1,500,000 were appropriated. At one time 97,000 bushels of corn were distributed in fifteen of the most needy counties to the families of living or deceased soldiers; at another, and later period when the general distress became appalling, $6,500,000 were voted to indigent families of the soldiers, "the term indigent to include wives, mothers, grandmothers, and all those who have to leave their ordinary business in the house, and to labor in the field to support themselves and children." The enormous prices of articles in general use may be seen when it is known that yarn was eight dollars per bunch; and the State was thought to be conferring a great favor in selling it at six dollars. The municipal authorities of Augusta strained every nerve to co-operate with the State. They issued $50,000 in bonds for a gunboat, and, it may be here added, paid every dollar after the war, over the objection of the military authorities that such debt being in aid af rebellion was not enforceable. They obtained permission to issue $100,000 in change notes in denominations of five, ten, twenty-five, and fifty cents and one dollar. The city became a hive of industry in making shoes, clothing, wagons, and other supplies. Its moneyed men started a new bank called the Traders and Importers Bank, two insurance companies, The Augusta Fire and Marine Insurance Company, and The Commercial Insurance Company of Augusta; a gold mining company The Augusta and Dahlonega Mining Company; and projected a new railroad, The Columbia and Augusta Railroad Company. The State ceded the Augusta arsenal and all the realty of the United States at Augusta to the Confederate government, and under the superintendency of Colonel Rains, a huge powder manufactory was erected on the Augusta Canal. This is said to have been the largest and most complete establishment of its kind in the world, and turned out a powder of most excellent quality, supplying the armies with abundant ammunition. The chimney of these works still stands on the bank of the canal, a towering monument of the past. The pressure and agony of the times were something appalling. The State had its entire arms-bearing population in the field. There were 84,119 "war indigents" at home; 45,718 children, 22,637 poor kinswomen of soldiers, 8,462 orphans, 4,003 widows, in the first two years of the war. The papers were full of reports of battles, lists of killed and wounded, calls for troops, appeals for food, clothing and shoes, proclamations doling out salt by

the peck, impressment orders for negroes to work on fortifications, piteous supplications for hospital funds. It was a fearful and dreadful time. The soldier dead of the State, up to the close of the year 1863, numbered 57,905. The white polls had fallen from 52,764 to 39,863, showing war's ravages. The war indigents rose from 84,119 to 117,889. Confederate money had gone down, down until almost as worthless as the old Continental currency. June 15, 1862, it took $2 to buy $1 in gold; on June 15, 1863, $7.50; on June 15, 1864, $18; on January 1, 1865, it was $60 for one; April 26, $200 for one, April 27, $300, April 28, $500, April 30, $1,000. In 1864 hats were worth hundreds of dollars; a horse, thousands; a drink of whisky, $10; a pair of suspenders, $150; a cake of toilet soap, $25.

As of historic interest we here give the fluctuations of Confederate money as kept by Mr. J. C. Barber, a broker of Augusta, commonly known as Barber's tables, which have been recognized as correct in the courts of Georgia.

1861,	Gold premium.
January 1,	$ .05
July 1,	.10
October 1,	.12
October 15,	.15
December 1,	.20
December 15,	.30
1862.	
January 1,	.20
January 15,	.20
February 1,	.25
February 15,	.40
March 1,	.50
March 15,	.60
April 1,	.75
April 15,	.85
May 1,	.90
May 15,	.95
June 1,	.95
	For $1 in Gold.
June 15,	$2.00
August 1,	2.20
September 1,	2.50
November 1,	3.00
1863.	
February 1,	3.10
March 1,	3.25
March 15,	5.00
May 15,	6.00
June 1,	6.50
June 15,	7.50
July 1,	8.00
July 15,	10.00
August 1,	14.00
August 15,	15.00
September 1,	14.00
September 15,	14.00
October 1,	13.00
October 15,	12.50
November 1,	13.00
November 15,	15.00
December 1,	20.05
December 15,	21.00
1864.	
January 1,	$ 21.00
January 15,	20.00
February 1,	20.00
February 15,	21.00
March 1,	26.00
March 15,	20.00
April 1,	19.00
April 15,	21.00
May 1,	20.00
May 15,	18.00
June 1–15,	18.00
July 15—August 15,	20.00
August 15,	22.00
September 1,	20.50
September 15,	22.50
October 1,	27.00
October 15,	25.00
November 1,	26.00
November 15,	28.00
December 1,	32.00
December 15,	35.00
December 31,	50.00

1865.	For $1 in Gold.
January 1,	60.00
January 15,	65.00
February 1,	50.00
February 15,	46.00
March 1,	55.00
March 15,	57.00
April 1,	70.00
April 15,	80.00
April 20,	100.00
April 26,	200.00
April 27,	300.00
April 28,	500 00
April 29,	800.00
April 30,	1,000.00
May 1,	1,200.00

When Sherman swung loose from Atlanta and started on his way through Georgia to the sea, it was apprehended that Augusta would see what it had not yet witnessed, amid all the other agonies of war, a hostile force in her streets; but the storm passed by. A marauding party of Federal cavalry would no doubt have swept through the city, but was met by General Wheeler and driven back upon the main body. In anticipation of the entrance of Sherman's troops immense quantites of cotton were brought out and piled in the street. On Broad street, from Jackson to McIntosh was a solid wall about five or six bales high and covering the bulk of that unusually wide thoroughfare. It lay there exposed to the elements, eaten into by the cows, spattered with mud, so valuable and yet so worthless! The chances of its ever being made available were considered so hopeless that thousands of bales were offered at one dollar per bale in gold, with few takers. When it seemed as if nothing could avert the advent of the enemy the Confederate commandant issued orders to have it burned on their approach. The execution of this command would have almost necessarily involved the destruction of the city, and fully alive to this awful peril Hon. Robert H. May, then mayor, used every exertion to have the order rescinded and by extraordinary exertions finally prevailed. At the same time and from the same idle policy of destruction, barrels of tar and heaps of combustibles were placed on the city bridge to reduce that, too, to ashes, but here again the danger was averted. As has been said, Augusta had the largest powder mills in America under the auspices of the Confederate government. Besides these, machine shops and gun factories belonging to the government were located, and the city was one of the most important posts in the Southern States during the civil struggle. It was for this reason that it was considered by Edwin M. Stanton, Lincoln's war secretary, to have been a vital point in the seceding states, and he was horrified to find that General Sherman, instead of destroying the great manufacturing plant in Augusta, turned off and pursued an empty and vainglorious march to the sea. So long as Augusta remained intact, the army in Northern Virginia, under General Lee, was furnished with ammunition and materials from the government workshops, and the Southern armies were enabled to hold their ground, and it was believed that had Sherman made Augusta the base of his operations instead of Atlanta, the civil war would have come to an end at least a year before it did.

It is a current belief in the city that Sherman turned his course aside because in his early days he was stationed at the Augusta arsenal and had a child buried there, and while it is not likely sentiment controlled him, we give the story for what it is worth.

One day in April, 1865, a disarmed and footsore soldier of Lee's army reached town. There could now no longer be any doubt that the valiant army of northern Virginia had at last succumbed. A mob gathered, intent on sacking the Confederate quartermaster and commissary departments. It was argued that as the Confederacy was gone, its few remaining assets had better fall into the hands of its own poor than go to the enemy, and acting on this belief the mob soon "looted" the government repositories. Then, as mobs will, other places in no way connected with the government were marked for plunder. It was proposed to sack the factories, and some private stores were broken into. A guard of citizens and returned soldiers was hastily assembled, and after a collision in which one life was lost, the mob dispersed and order was restored.

Soon after the Federal forces entered the city, a detachment being sent up from Savannah, and the city was placed under the rule of a provost marshal. None could walk the streets at night without a pass. Then the Freedmen's Bureau was established, and the colored population recognized that they were free. To their credit, it is to be said, they made no disorder and attempted no violence. Mr. Davis, president of the Confederacy, was brought captive through the streets of Augusts on his way to Fortress Monroe. He rode in a carrriage surrounded by a strong guard of cavalry and was carried up Broad street to the headquarters of the post commandant. The military authorities insisted on all civilians taking the oath of allegiance, and no one, not even the ladies, were allowed to receive letters without doing so. Owing to the lack of other clothes the returned soldiers were allowed to wear their uniforms, but the military buttons were ordered cut off. All arms were ordered delivered up, and the press was put under surveillance. Each editorial was required to be submitted to the post-commandant, and for one fiery article the office of the Augusta *Constitutionalist* was closed and a sentry put in the composing room.

Finally order began to evolve out of chaos. The State government was reorganized on the plan of reconstruction, devised by President Johnson. Hon. James Johnson, a lawyer of Columbus, was appointed provisional governor, and a convention ordered at Milledgeville on October 25, 1865. Charles J. Jenkins, John P. King, and A. C. Walter were sent as delegates from Richmond. Hon. Herschel V. Johnson was elected president of the convention, which, under instructions from Washington, repealed the ordinance of secession and repudiated the State's war debt. It adopted a new constitution which recognized the abolition of slavery, and provided for the organization of a State government thereunder; made provision for the support of the poor of the State, and appealed to President Johnson for clemency to President Jefferson Davis,

Vice-President Alexander H. Stephens, and other Confederates then prisoners at Fort Pulaski. On the reorganization Hon. C. J. Jenkins was elected governor, and the State government was completed in all its parts.

During the war Hon. Robert H. May, the present chief magistrate of the city, was mayor of Augusta. As has been stated the tread of hostile forces never resounded in the streets of the city, but all during the war thousands and tens of thousands of Confederate soldiers marched through going to battle; trains upon trains of sick and wounded were brought back. The maimed and disabled were to be nursed, the dead to be buried, the impoverished to be fed, the unruly to be kept in order. Time after time, as the city was menaced, almost every available man was marched out to assist the regular forces, and women and children were left behind almost defenseless, but in every exigency Mayor May was found adequate to the occasion. At one time, when the Confederate forces were about to burn the cotton piled five bales high on the streets, which would have been to destroy the city, Mr. May averted the useless and appalling destruction. When, in 1865, a terrific freshet flooded the city, he quickly repaired its damage; and when later in the year, at the downfall of the Confederacy, a mob sacked the Confederate commissary and quartermaster departments and seemed ripe for further pillage, the mayor's firm hand and active measures restored order and obedience to law.

In 1866 James T. Gardiner served a portion of the year; and John Foster filled out his term.

In the spring of the next year the scheme of congressional reconstruction of the South was initiated. Major-General John Pope overturned civil rule and established military domination, and for the first and only time in its extended municipal history Augusta saw its mayor designated by the sword. Foster Blodgett was made mayor by General Pope in May, 1867, and acted as such till December, 1868, when reconstruction was completed, and an election held at which Henry F. Russell, a prominent merchant, was chosen mayor. Mayor Russell was succeeded in 1869 by J. V. H. Allen, who reorganized the police force of the city on a military footing, the men being uniformed, and armed and drilled as infantry. This discipline has since been maintained and the force of the city is not only available for the ordinary duties of police, but, at a moment's notice, becomes the drilled and organized nucleus of a military body. In this year another railroad, the Charlotte, Columbia and Augusta entered the city.

In 1870 Charles Estes became mayor and was re-elected year after year till 1876. During Mayor Estes' extended administration, the city was rapidly rehabitated and materially enlarged and improved. In 1870 the area inclosed by the Savannah Road, the Turknett Springs Road, Carnes Road, and South Boundary street was added to the city, and the street railway system put upon a permanent basis. In 1871 the Legislature authorized the enlargment of the

Augusta Canal. Mayor Allen had urged such an enlargment, but it was reserved for Mayor Estes to begin and complete the work. The work was commenced in March, 1872, and completed in July, 1875, at a cost of $972,883.15. The present length of the main canal is seven miles; including second and third levels, nine miles. The minimum water way is 150 at surface, 106 feet at bottom, and 11 feet deep, making an area of cross section of 1,408 square feet. The area of the supply openings is 1,463 square feet; and, by means of a colossal dam the entire waters of the Savannah River are made available. There is a bottom grade of descent on the main canal of one hundredth of a foot in one hundred feet, giving a theoretical mean velocity of two and seventy-four one hundredth feet per second, or a mechanical effect of 14,000 horse power, the old capacity being but 600. The result of the enlargement has been to give an immense impetus to cotton manufacturing in Augusta, to largely stimulate other industries, and to add wonderfully to the wealth and population of the city. In 1873 the Macon and Augusta, and the Port Royal and Augusta Railways tapped the city. During this administration the requirement of a registry fee as a condition precedent to voting in municipal elections was abrogated; the lien for city taxes was made second in dignity only to State and county taxes; and the style "marshal" was changed to chief of police. Provision was also made for extension and improvement of the waterworks system.

In 1876 the mayor's term was extended from one year to three years, and in this year John U. Meyer was elected for that term. During his time a board of health was created which is still in operation and has accomplished valuable results. Of its operations we speak elsewhere in detail.

In 1879 Hon. Robert H. May, the war mayor of Augusta, was again elected and has been continuously re-elected at each recurring triennial election ever since. In 1877 Mr. May was one of the delegates sent from Richmond county to the State convention which framed the present constitution of Georgia. This instrument has many important provisions looking to the improvement of the science of municipal government, and from his long experience in this field, Mr. May's counsels were of great service to the convention. During his administration from 1879 Augusta has almost became a new city. The development of business and increase of population have been unprecedented. Among other important matters of legislation in this time it may be mentioned that a board of police commissioners was organized, and the limits of the city were very largely extended in 1882 so as to take in that extensive territory on the west of the city, north of the Turknett Springs road to the line of the village of Summerville, thence along that line across the head of Lake Olmstead, to the head of the canal, so as to throw the entire length of that great work within the municipal limits; and again, in 1883, so as to include the territory lying south of the Turknett Springs road to the Milledgville road, and thence

east to the line of the Central Railroad. These additions bring in an immense area on the west and southwest of the city, and where fields lately waved in grain, streets run and houses glow with life. In Augusta, as elsewhere, "westward the star of empire takes its way."

In September, 1888, Augusta was visited with the worst freshet known in her history. During the latter part of August and the early part of September heavy rains, extending above the city for many miles, almost incessantly prevailed. On Sunday, September 9th, the Savannah River began to rise, but as this was not unexpected, no particular attention was aroused. All Sunday night the rise continued, and by the morning of the 10th it became apparent that a freshet of unprecedented magnitude was imminent. All that day and until late at night the water rose. About one P. M. the canal banks gave way, precipitating that immense volume suddenly upon the already submerged city. Finally, not a foot of dry land remained, the water obtaining a depth of from two to five and in some places six feet throughout the city. All night long the angry rush of the waters was heard, hurrying past the very thresholds of the astonished and alarmed citizens. About three o'clock on the morning of Tuesday, September 11, the water came to a stand and then began to fall, at first very slowly, an inch or so an hour, then more and more rapidly, until on Wednesday morning the 12th, the land again appeared. But the city looked as if built in the bed of a river. Huge holes, especially at street corners, made travel impossible for vehicles and difficult for pedestrians. Some ten persons were drowned, and the damage done to property is estimated at about two millions of dollars. The city was just about completing arrangements for a grand exposition, intended to display Augusta's many natural and industrial advantages and in particular her vast water power and flourishing manufacturing interests. In a moment, as it were, the water power was wrecked, the huge cotton mills silenced, and a busy, hopeful, ambitious city crushed prone to the earth. But in less than forty-eight hours a programme was devised which met instant popular acceptance. There was to be no call for outside aid; the city was to bear its own burden; the exposition was to proceed; the canal was to be rebuilt; the mills were to be run at the earliest possible moment; and the citizens were to impose on themselves an extra tax, which with the ordinary rate then already levied, made a total of three years' taxes in one. This tax was unflinchingly voted; the exposition was held; the canal repaired; and on December 26 the mill wheels began to revolve, and the looms to work anew. Such a record is, surely, honorable to any people.

The exposition of which mention has been made, was determined upon at a meeting held on November 8, 1887, when $29,245 was raised. By November 19, the subscriptions reached the sum of $55,000; on January 3, 1888, they amounted to $65,000. A charter was procured and the following officers elected: President, James Tobin; vice-presidents, Patrick Walsh, Charles H. Phinizy, and Clement A. Evans; secretary and treasurer, J. H. Alexander;

general solicitor, Sanford H. Cohen. A tract of land was purchased near the city; a costly building, 944 feet by 400, with dome 154 feet high, erected; numerous exhibits and attractions arranged for, and the exposition was within a short time of opening when the flood overwhelmed the city. This terrible disaster postponed the opening some sixty days, but the enterprise was finally carried out, its crowning and peculiar glory being that the fact of its being held at all under the circumstances, was commented on throughout the country as an unparalleled instance of energy and courage.

Rounding up the history of one hundred and fifty odd years, Augusta is now a great railroad center, a great manufacturing center, and a great commercial center. As has been seen in the review taken of her history, one prominent characteristic of this particular city has been its indomitable energy under every possible form of adversity to which municipalities are subject. We have seen it drenched in blood and scorched with fire in the Revolution; but hardly had the smoke of the British guns dissipated on the air before the citizens of that day were at work with unabated courage, re-erecting churches, laying the corner-stone of seminaries, surveying out streets and annexing new territory. A little later, and when business had begun to revive, the Yazoo freshet floods the town, and, in carrying away the Savannah River bridge, cuts the town off from its valuable Carolina trade; but almost instantly the bridge, a stupendous undertaking in those days, is ordered rebuilt. In 1829 the greater portion of the city is laid in ashes, but in 1833 we find it laying the foundations of the immense railway system of the State by a line from Augusta to Athens, another undertaking which merely ordinary as it seems to us now, was at that time of the first magnitude. In 1839 the yellow fever claims many victims, at least one-third of the population having an attack, and the very next year the river rises thirty-seven feet, again flooding the town, and inflicting damage to the amount of a million dollars, but, girding up its loins Augusta sets about another enterprise, the canal, and a few years later has it built and in active operation.

In 1854 there is another access of fever, but in that very year the Central Railroad is brought to Augusta and the city limits largely extended, as if nothing were further from the minds of the people than a cessation of municipal growth. Then came on the agony of war, and, after it, the turmoil of reconstruction; but, close upon the heels of these disturbing and discouraging eras, the city proceeds to extend its railway system, and enlarge its canal to proportions greater, in all except length, than the famous Erie Canal. Contemporaneously, the city limits are extended more widely than ever before. Lastly, within two years of this writing, the city is visited in 1886 by a terrific shock of earthquake and almost to a day two years later, by a flood which throws even the far-famed Yazoo freshet far in the shade. And yet what effect have these terrific and quick succeeding calamities on Augusta? With the earth trembling beneath their feet, the people of Augusta go on about their

daily business, stout of heart. The street-cars run, the daily paper comes out, the court, the counting-room, the workshop, the factory, the store witness the same unabated toil. The motto of Augusta, now as ever, seems to be, "sorrow endureth for a night, but joy cometh in the morning."

Straightway after the freshet, the city looks about it; seems to say like the man in the story, "Well, it was not so much of a shower after all;" and composedly goes to work to vote a double tax upon itself, the year 1888 presenting the spectacle of Augusta not only meeting its usual annual tax, but an additional tax equal to that of two ordinary years, making three years taxes in one. Such a spectacle of financial fortitude is not often seen.

Another striking feature in Augusta's history is the unvarying good faith it has always exhibited in its monetary transactions. It has never in all its long history evaded or repudiated an obligation. Nor in any of its troubles, disasters and calamities has it ever invoked outside aid. Its own shoulders have always borne the burden of the hour. Such a record is honorable to any people, and in closing this sketch of Augusta's history, it can be truly said that the city of Augusta has, at all times, and in all circumstances, for a century and a half consistently maintained the reputation of an upright, self-respecting, faith-abiding and courageous municipal commonwealth. It was named after the Princess Augusta, one of the daughters of King George the Second, and has always been as its name imports, the proud city.

INTENDANTS AND MAYORS OF AUGUSTA, GA.

INTENDANTS.

1798 ..... Thomas Cumming.	1809-11 ..... Joseph Hutchinson.
1803-4 ..... John Murray.	1812 ..... James S. Walker.
1805 ..... William J. Hobby.	1813 ..... Seaborn Jones.
1806 ..... Thomas Flournoy.	1814 ..... Joseph Hutchinson.
1807 ..... John B. Barnes.	1815-16 ..... Walter Leigh.
1808 ..... John Catlett.	1817 ..... Freeman Walker.

MAYORS.

1818-19 ..... Freeman Walker.	1852-53 ..... William E. Dearing.
1819-21 ..... Nicholas Ware.	1854 ..... Abner P. Robertson.
1822 ..... Robert Walker.	1855 ..... William E. Dearing.
1823-4 ..... Robert Raymond Reid.	1856 ..... George W. Evans.
1825-26 ..... William W. Holt.	1857-58 ..... Benjamin Conley.
1827-36 ..... Samuel Hale.	1859-60 ..... Foster Blodgett.
1837 ..... John Phinizy.	1861-65 ..... Robert H. May.
1838 ..... Samuel Hale.	1866 ..... James T. Gardiner.
1839 ..... Alfred Cumming.	1867 ..... Foster Blodgett (appointed by military commandant.)
1840 ..... Daniel Hook.	
1841 ..... Martin M. Dye.	
1842 ..... Daniel Hook.	1868 ..... Henry F. Russell.
1843-45 ..... Martin M. Dye.	1869 ..... J. V. H. Allen.
1846-47 ..... Lewis D. Ford.	1870-75 ..... Charles Estes.
1848 ..... Ignatius P. Garvin.	1876-79 ..... John U. Meyer.
1849 ..... James B. Bishop.	1880 ..... Robert H. May.
1850-51 ..... Thomas W. Miller.	

CHAPTER XVIII.

BENCH AND BAR.

Judicial Establishment of Georgia Under the Trustees—Judicature Court—The Rum Law—Law Against Fine Clothes—Free Labor Law—Tenure by Tail Male—Surrender of the Charter—Judicial Establishment Under the King's Colonial Government—The Royal Governor, the Chancellor—Court of Chancery—Fee Bill—"Thirteen Chancellors."

THE history of the bench and bar of Augusta is indissolubly united with the judicial history of Georgia. Some of the ablest lawyers and most celebrated judges in the annals of the State presided and practiced at Augusta; for many years here were the headquarters of the Middle Judicial Circuit, in which lay the State capital; and the solicitor-general of this circuit was *ex-officio*, the attorney-general of the State, so that for a long course of years Augusta may be said to have been the legal center of Georgia. To speak of the judges and lawyers who in times past have been eminent in the city is to speak of the courts in which they presided and of the laws under which they practiced, and we will, therefore, in this part of this work, consider first the judicial establishment of Georgia as it existed in colonial days; then of its reorganization under the State government, and lastly of the many learned and brillant men who have adorned the legal annals of the city.

Of the judicial establishment existing in Georgia from the first colonization in 1733 until the trustees surrendered their charter to the crown in 1754 we have meager information. By the charter it was ordained that the trustees for establishing the colony of Georgia in America "shall and may form and prepare laws, statutes, and ordinances fit and necessary for and concerning the government of the said colony, and not repugnant to the laws and statutes of England, and the same shall and may present, under their common seal, to us, our heirs, and successors in our or their privy council, for our or their approbation or disallowance; and the said laws, statutes, and ordinances, being approved of by us, our heirs and successors, in our or their privy council, shall, from thenceforth, be in full force and virtue within our said province of Georgia." It was also provided that the trustees "shall have full power and authority for and during the term of twenty-one years, to commence from the date of these our letters patent, to erect and constitute judicatories and courts of record, or other courts, to be held in the name of us, our heirs and successors, for the hearing and determining of all manner of crimes, offenses, pleas, processes, plaints, actions, matters, causes, and things whatsoever arising or happening within said province of Georgia, or between persons of Georgia; whether the same be criminal or civil, and whether the said crimes be capital or not capital, and whether the said pleas be real, personal, or mixed; and for

awarding and making out executions thereupon ; to which courts and judicatories we do hereby, for us, our heirs and succesors, give and grant full power and authority, from time to time, to administer oaths for the discovery of truth in any matter in controversy or depending before them, or the solemn affirmation to any of the persons commonly called Quakers, in such manner as by the laws of our realm of England the same may be administered."

The charter further provided "that all and every the persons which shall happen to be born within the said province, and every of their children and posterity, shall have and enjoy all liberties, franchises and immunities of free denizens and natural born subjects, within any of our dominions, to all intents and purposes, as if abiding and born within this our kingdom of Great Britain, or any other dominion."

At that time the law of England held that English colonists carried with them the laws of the mother country, the birthright of every subject, meaning thereby "so much of the English law as is applicable to their own situation and the condition of an English colony;" and that "what shall be admitted and what rejected, at what times and under what restrictions must, in case of dispute, be decided in the first instance by their own provincial judicature, subject to the revision and control of the king in council; the whole of their constitution being also liable to be remodeled and reformed by the general superintending power of the legislature in the mother country." This view was considered particularly applicable to Georgia as we learn from a valuable work published in 1783 by Anthony Stokes, for many years royal chief justice of that province.

Under the charter then, and the general law of England, the first settlers of Georgia brought with them all the English law applicable to their new situation ; and after their arrival were subject to have those laws, and such other laws as the trustees might see fit to enact, if approved by the crown, administered by courts erected by the trustees. The traditional loyalty of Englishmen to the common law seems to have withheld the trustees from much legislation, and accordingly the records of their judicial establishment are bare and jejune. They satisfied themselves with the erection of a few courts and the enactment of a very few laws.

The trustees organized under their charter in July, 1732, and in the August following appointed a committee, of which General Oglethorpe was chairman, to propose laws for the benefit of the colony. It does not appear what report, if any, was made by this committee, nor is it at all clear but that mere by-laws for the management of the board were meant. In November, 1732, a court of judicature was established in Savannah, with power to try all causes, civil and criminal. At a later date it was provided with a seal, and was conducted by three judges called bailiffs, who, to ensure greater respect, wore purple robes trimmed with fur. Their executive officer was termed constable and,

as has been seen by the charter, they could pass even on capital cases. A like court was also established at Frederica. In 1744 the method of procedure was ordered to be according to the laws and customs of the realm of England and of the laws enacted for the province. The laws enacted by the trustees were few in number, and most of them gave rise to great dissatisfaction. One absolutely prohibited the drinking of brandy and rum, and ordered all vessels containing such liquors to be staved immediately on being brought within the colony The settlers vociferously insisted that in that hot and close climate it was absolutely necessary to have these beverages for the slacking of their parched clay; but the trustees were inexorable, and repeatedly admonished the courts to rigidly enforce the statute. From the number of these instructions it may fairly be inferred that the judicial establishment partook of the general drought, an inference which becomes almost certainty in view of a certain passage in the minutes of a legislative body some years later where it is gravely set down that the house adjourned "to take a drink." The traders of South Carolina, where no prohibitory legislation prevailed, were quite ready to supply all the rum needed, and at one time a serious inter-colonial difficulty arose from the officers at Augusta staving a cargo which had just been brought into that port. Great was the popular outcry at so heinous a waste of so much precious material. From the incident we may gather that there was some sort of court at this time at Augusta, also, though no express mention of such a tribunal appears.

Another act of the trustees was leveled at "the use of gold and silver in apparel and furniture in Georgia, and for preventing extravagance and luxury." The date of this statute was 1737, but four years after the foundation, and the law seems to infer either that some wealthy colonists had then come over, or that the first settlers had prospered wonderfully. Still another act prohibited the purchase or use of negro slaves in the colony. It was supposed that this kind of labor would enervate the colonists, and not only render them averse to building up the settlement with their own hands, but form an element of danger in the infant commonwealth. Here again, the example of South Carolina, where slavery obtained, was ever before the Georgians, and rendered them grievously discontented with their own less favored status.

A fourth act, and possibly the most obnoxious of all, was the tenure of lands. By the charter the crown had granted the land to the trustees, with power to sub-let; and in portioning out the soil, the trustees rigidly insisted on making the tenure tail male, that is to a man and his heirs male. The object was the same as on the establishment of the feudal system, namely, to have the tenant always a man fit for military service. If a settler died, leaving only daughters, the land reverted to the trustees, to be regranted to some tenant capable of bearing arms. Again and again the colonists petitioned and remonstrated, demanding lands in fee simple. For a long time the trustees steadily resisted

the appeals of the settlers on the matter of the tenure of lands, use of negroes, and allowance of rum. In 1742 steps were taken to repeal the prohibition act, and in the same year Governor Stephens was instructed to examine into and report upon the real views of the people as to negro slavery, and how far and under what restrictions it might be advisable to rescind the original statute. Rum and slavery were finally allowed, and some modifications made in the law of entails, and, pleased with these concessions, the colonists went to work and soon improved the condition of affairs. The trustees seem not to have taken the repeal of their laws so well, and were evidently not ill pleased at the approach of the time, when under their charter, the form of government and appointment of officers for the colony was to devolve upon the crown. By the charter it was provided that the trustees "shall, from time to time, for and during and unto the full end and expiration of twenty-one years, to commence from the date of these our letters patent, have full power and authority to nominate, make, constitute, commission, ordain, and appoint, by such name or names, style or styles, as to them shall seem meet and fitting, all and singular such governors, judges, magistrates, ministers, and officers, civil and military, both by sea and land, within the said districts, as shall by them be thought fit and needful to be made or used for the said government of the said colony, save always and except such officers only as shall by us, our heirs and successors, be from time to time constituted and appointed for the managing, collecting, and receiving such revenues as shall from time to time arise within the said province of Georgia, and become due to us, our heirs and successors;" and "from and after the determination of the said term of one and twenty years, such form of government and method of making laws, statutes, and ordinances for the better governing and ordering the said province of Georgia, and the inhabitants thereof, shall be established and observed within the same, as we, our heirs and successors, shall hereafter ordain and appoint, and shall be agreeable to law; and that, from and after the determination of the said term of one and twenty years, the governor of our said province of Georgia, and all officers, civil and military, within the same, shall, from time to time, be nominated and constituted and appointed by us, our heirs and successors."

It is not the case, therefore, as is currently supposed, that the trustees voluntarily surrendered their charter, whereby Georgia, from a proprietary, became a royal government. The charter having been granted on June 9, 1732, by the terms thereof, as just seen, the government of the colony reverted on June 9, 1753, to the crown.

It is true that the trustees did execute a formal written relinquishment and surrender of their charter to the crown, but that instrument expressly recites that they were to have the government of the colony for twenty-one years and no more by the terms of their charter, so that this was not the ground on which the surrender was based. The charter gave them seven-eighths of the territory

specified therein, and by indenture of February 28, 1732, from Lord Carteret, afterwards Earl Granville, they had previously obtained the other one-eighth. There was no provision in the charter that the title to the territory owned by the trustees should revert to the crown, and hence an indenture was requisite to convey the same. The indenture, therefore, conveys all and singular the rights of the trustees under the charter of whatsoever nature; and, in particular all the territory conveyed them by the crown and by Lord Carteret, "together with all the soils, grounds, havens, ports, gulphs and bays, mines, as well, royal mines of gold and silver, as other minerals, precious stones, quarries, woods, rivers, waters, fishings, as well, royal fishings of whale and sturgeon as other fishings, pearls, commodities, jurisdictions, royalties, franchises, privileges, and pre-eminences, within the said territories and the precincts thereof, and thereunto in any sort belonging or appertaining . . . . subject nevertheless, and without prejudice to all such grants, leases, contracts, estates, and interests, in law or equity as have been heretofore lawfully made or granted by the said trustees for establishing the colony of Georgia in America, or by any acting in authority under them in America, and which are now subsisting according to letters patent."

On the surrender of the charter the Lords Commissioners for Trade and Plantations were directed to lay before the privy council a plan for the government of the colony of Georgia, which they did early in 1754. This plan was approved, and by it the government was modeled on that of the other royal governments, or king's colonies; or, as nearly as practicable, on that of the home government. The governor represented the king; there was a colonial parliament called the Assembly, consisting of an upper house, representing the House of Lords, and a Commons House of Assembly, representing the House of Commons; and a regular judicial establishment of law, equity, admiralty and other courts. The governor was appointed by, and held office at, the pleasure of the crown. He was officially styled His Excellency, and was "Captain-General and Governor-in-Chief in and over the Province of Georgia, and Chancellor, Vice Admiral, and Ordinary of the same." He had the power to veto all bills; convene, adjourn, prorogue, and dissolve the Assembly; could appoint to fill all vacancies; pardon all crimes except treason and murder, but could reprieve or suspend in the excepted cases until the king's pleasure was known; he exercised chancery, probate, and admiralty jurisdiction; and collated, or appointed, to churches all clergymen of the Church of England. The Council, or Upper House of Assembly, consisted of twelve "members in ordinary "and two "extraordinary members," all appointed by the crown, one of the extraordinary members being the surveyor-general of the customs and the other the superintendent-general of Indian affairs. In its legislative capacity the council formed one branch of the Assembly and were presided over by the lieutenant-governor. In its executive capacity it was the governor's privy council. When

in legislative session it was governed by the rules of the House of Lords. The Commons House of Assembly was composed of members elected from the various parishes into which the State was divided. The qualification of an elector was fifty acres of land in the parish where he voted; and of representative, five hundred acres of land in any part of the province. The commons elected their own speaker, messenger, and doorkeeper, but the governor appointed the clerk. They remained in session until adjourned by the governor; claimed the exclusive right to originate money bills, and had most of the privileges of the British House of Commons; and, like the Commons, received no pay.

Of the judicial establishment we may speak more at large. As has been stated, the royal governor was *ex-officio* chancellor of the province. He had, like his English prototype, the custody of the great seal, and, when sitting as chancellor, had the same powers of judicature as the lord high chancellor in England. The proceedings in the colonial Chancery were similar to those of the High Court of Chancery in England, and the books of practice then used in England governed the colonial practice, except in a few instances of local import. One notable exception, however, was that the *subpœna* was made returnable immediately; and "in case of a contempt," says Chief Justice Stokes, "the plaintiff (when a commission of rebellion is returned *non est inventus*) proceeds to sequestration, without an order for a sergeant-at-arms." In drawing a bill in the Georgia Chancery the form was thus:

"GEORGIA, } To His Excellency, A. B., Esq., Captain General and Gov-
"In Chancery. } ernor in Chief in and over his Majesty's province of Georgia, and Chancellor, Vice-Admiral, and Ordinary of the same: Humbly complaining, sheweth unto your Excellency, your Orator &c. &c."

From the decision of the governor sitting as chancellor, an appeal lay to the king in council, in causes where the value of the property in dispute exceeded five hundred pounds sterling; but where the matter in question related to the taking or demanding of any duty payable to the king, or to any fee of office, or annual rent, or other such like matter or thing where rights in future might be bound, an appeal lay, irrespective of the amount involved. The appeal was required to be made within fourteen days from the pronouncing of the decree; and the appellant was to give good security that he would effectually prosecute his appeal, and also pay such costs and damages as might be awarded by the king in case the decree of the chancellor was affirmed. On lodgement of the appeal, the prothonotary was to copy out all the proceedings in a fair hand on large paper and make affidavit that he had compared the copy with the original, and that the same was a true copy. Copy and affidavit were then attached together and handed the governor, who affixed the great seal thereto, when they were ready for transmission to the crown. One year was allowed for the transmission after entrance of appeal. Should the chan-

cellor doubt of his decree he could take such time as he saw proper to deliberate thereon; and from any decree rendered, whether interlocutory or final, the defendant could appeal, for which reasons a chancery cause of moment in Georgia was almost interminable.

The Court of Chancery had a master; also an examiner and register; and the fees of these officers, as also those of the chancellor himself are set down in an ancient statute.

The Chancellor's Fees.—Sealing every writ, three shillings and sevenpence; signing a decree in chancery, fourteen shillings and twopence; every order on motion or petition, three shillings and sevenpence; signing and sealing an exemplification of a decree, fourteen shillings and twopence; hearing and determining every cause, one pound eight shillings and fourpence.

The Master in Chancery's Fees.—Every summons, one shilling and tenpence halfpenny; copies of charges and discharges brought before the master, each side containing fifteen lines and six words in a line, fourpence halfpenny; taking affidavits in writing, if drawn by the master (the oath included), one shilling and tenpence halfpenny; every other oath, ninepence; taxing a bill of costs, two shillings and fivepence; all accounts referred to him for examination or settling, to be allowed for at the discretion of the Court of Chancery; taking a recognizance, three shillings and sevenpence; every day's attendance upon a final hearing, three shillings and sevenpence.

Fees of the Examiner and Register in Chancery.—Filing a bill, petition, affidavit or other paper, fourpence halfpenny; every writ of *subpœna*, one shilling and tenpence; attending the chancellor or Court of Chancery on the hearing a petition or motion, three shillings and sixpence; attending the chancellor at his chambers, and for every other necessary attendance, one shilling and ninepence; reading every paper, one shilling and ninepence; a writ of *Ne Exeat Provincia*, injunction, or other special writ, ten shillings; every order on a petition or motion, two shillings; entering a rule or order, per copy sheet, fourpence halfpenny; every search, eightpence; copy of an order, bill, answer, or other paper, per copy sheet, fourpence halfpenny; every rule, two shillings; taking depositions of a witness, per copy sheet, sixpence halfpenny; copying such depositions, per copy sheet, fourpence halfpenny; setting down a cause or demurrer for hearing, one shilling and one penny; attending at the hearing a cause or pronouncing a decree each day, three shillings; entering a motion, one shilling and one penny; entering the minutes of a decree, each copy sheet, fourpence halfpenny; drawing a decree, each copy sheet, fourpence halfpenny; every attachment, one shilling and tenpence; entering an appearance, each defendant, two shillings.

In his famous work on "Equity Jurisprudence," Mr. Justice Story says that "in many of the colonies, during their connection with Great Britain, equity jurisprudence had either no existence at all, or a very imperfect and irregular

administration;" but, however this may have been in the other provinces, what has been said is sufficient to show that the Court of Chancery had a very early existence and complete operation in Georgia.

The Chancery Bar was a recognized institution, and we find in an old court roll the names of the following as solicitors in the Chancery before the Revolution: Robert Hamilton, James Roberts, Thomas Ross, William McKenzie, John Houstoun, and George Walton. Both of the latter rose in time to be governor of Georgia as a State, and Mr. Walton was for years judge of the Superior Court of Augusta. That the Chancery Bar was in active practice, appears from their fee bill, yet extant.

Fees of the Solicitors in Chancery.—A retaining fee, fourteen shillings and twopence; every attendance at court when any business is done, three shillings; court fee at hearing the cause, seven shillings and one penny; drawing every bill, answer, plea, demurrer, replication or other paper, each copy sheet, sixpence halfpenny; fair copy and engrossing same, per copy sheet, each copy sheet containing ninety words, fourpence halfpenny; signing thereof, three shillings and sevenpence; every motion in court or defending same, three shillings and sixpence; a brief or abstract of the proceedings, each copy sheet of such proceedings, fourpence halfpenny; every brief on hearing the cause, or arguing demurrer or exceptions, fourteen shillings and twopence; drawing a bill of costs and attending taxation thereof, two shillings and fivepence; copy of the same and notice, one shilling and threepence; attending the master on any reference to him by order of the court, three shillings and sevenpence; drawing every decree, each copy sheet, ninepence.

It may here be remarked that the colonial Court of Chancery obtained its highest degree of excellence while Sir James Wright was governor, and *ex-officio*, chancellor. During the administration of this able man, the colony increased rapidly in wealth and population, it being recorded that he found an export trade of £30,000 per annum, and left one of £200,000. Governor Wright had been bred a lawyer, and was at the time of his appointment in practice in Charleston, S. C., and from this training and experience made an excellent chancellor. Chief Justice Stokes, who had considerable experience in a number of the colonies, having from time to time held judicial appointments therein, speaks very highly of Governor Wright's legal abilities, and contrasts the reputation made by the Georgia Court of Chancery with the chancery in other colonies, particularly in South Carolina, quite unfavorably to the latter. He states that one governor of South Carolina was inadvertently drawn in to approve a bill which made the twelve councillors judges of the Court of Chancery, so that the spectacle was presented of thirteen chancellors in a row. Justice Stokes states that this was the rule in Barbadoes, Antigua and Montserrat, and that in its operation it caused great inconveniences. It led to delays, because it was necessary to call on the council from different parts of the

province at every cause; it led to hasty judgments, as in difficult matters, the temptation was to decide off-hand, lest by consideration another meeting would become necessary; and, lastly, it lowered tbe tone of the court by dividing the responsibility of the decree. "A chancellor," says he, "when he sits alone (be his disposition what it may), will hardly venture to commit any flagrant acts of injustice. But when a dozen councillors are placed on the bench with him, *defendit numerus*; and, if they are inclined to do mischief, they keep each other in countenance, and there are thirteen to divide the censure amongst them."

This ill opinion of thirteen chancellers survived in Georgia long after Chief Justice Stokes had been relegated back to his royal master, and it was only by a sort of tacit connivance, finally ripening by usage into a rule, that it became established in Georgia as a State. In 1847 the judge of Muscogee Superior Court finally decided an equity cause without the intervention of a jury, and his right so to do was the question before the Supreme Court. That tribunal decided for the thirteen chancellors, saying "it was at one time a question in Georgia whether a jury was at all necessary in trials in equity. That is to say, whether the act of 1799, conferring chancery powers on the superior courts, did not clothe the judge with the powers of a chancellor in England. I advert to this not for the purpose of discussing the question, but of saying that such a doubt no longer exists—that the usage of the Superior Courts for a long series of years has been to submit the facts in all trials in equity to a jury, and that this usage has been sanctioned by repeated acts of the Legislature recognizing it. I have no doubt that it had its origin in quite sufficient authority of law. In Georgia the judge and the jury constitute the chancellor."—3 *Georgia Reports*, 163–4.

CHAPTER XIX.

BENCH AND BAR CONTINUED.

Common Law Courts—The Chief Justice of Georgia—Grover, Simpson and Stokes, Chief Justices—Commission—Fees—The General Court—Origin of Superior Court—Judges—Attorney-General—Provost Marshal—Clerk of the Crown—Court of Ordinary—Court of Conscience—Justices of the Peace—Early J. P's. in Augusta—Oyer and Terminer—Court of Admiralty—Appeals—Court of Errors—Writ of Error—Appeal to the King—The Colonial Bar—Pomp, Form and Circumstance—Robes, Seals and Precedence.

THE common law courts under the royal establishment were divided into superior and inferior, all under the superintendency of a chief justice. The first of these functionaries was William Grover, commissioned April 13, 1759, under the administration of Governor Ellis, and removed by Governor Sir James Wright, on November 5, 1762, for conduct unbecoming a judicial

officer. The second chief justice was William Simpson, appointed December 15, 1766, but of whose career we have no information. The third and last of the royal chief justices was Anthony Stokes, who held from September 1, 1769, until the independence of the United States was recognized in 1783. Chief Justice Stokes was an English barrister, and in 1762 left Westminster Hall to practice in the West India colonies of Antigua and the Leeward Isles. Here he seems to have obtained prominence, and from his familiarity with provincial jurisprudence was appointed in 1769 to be his majesty's chief justice of Georgia. In this position he acted acceptably, and much to the improvement of the jurisprudence of the colony, till Savannah was taken by the American forces at the outbreak of the Revolution, and Governor Wright and Chief Justice Stokes both made prisoners. The governor effected his escape to a British man-of-war, but the chief justice remained a prisoner for some weeks, and was finally exchanged, with liberty to leave the country. He returned to England and there set about the preparation of a work on the political and legal institutions of the American and West India colonies, but while so engaged, Savannah was retaken by the British in 1778, and the justice received the royal mandate to return to Georgia, and there resume his functions. He set out accordingly in a king's ship, which had not voyaged far before it was attacked by a French cruiser, and in the engagement so much damaged that it became neccsssary for her to return to England to refit. Starting on a second voyage, Justice Stokes reached Georgia in safety in 1779, and there remained till May, 1783, when he again went back to England on the conclusion of the treaty of peace between Great Britain and the United States. During the siege of Savannah by the allied French and American forces, the quarters of the chief justice were burned by a shell, and many of his papers destroyed by the conflagration, so that, as he tells us, in his work "A View of the constitution of the British Colonies in North America and the West Indies," published in London in 1783, much of the material he had prepared perished, but his book is esteemed valuable for all that, in giving us an insight into the Colonial establishments, particularly as to the judiciary. The chapters on the admiralty practice are specially valuable, and have been cited as authority by the Supreme Court of the United States. As a lawyer, Chief Justice Stokes was well grounded in his profession, and as a judge sought diligently to do justice. There can be no question but that he rendered a service to the jurisprudence of Georgia which has never been acknowledged or appreciated. The manner of the appointment of a chief justice in those days of form and ceremony, was by the issuance to the appointee of a warrant under the royal sign manual, whereupon the governor of the colony issued him a commission in the form of letters patent. The warrant and letters read as follows:

"GEORGE R. Trusty and well-beloved, we greet you well. Whereas we have taken into our royal consideration the loyalty, integrity and ability of

our trusty and well-beloved A. B., Esq.; we have thought fit hereby to authorize and require you forthwith to cause letters patent to be passed under the seal of our province of ....., constituting and appointing him, the said A. B., to be our chief justice of, and in our said Province, in the room of L. M., Esq., deceased: To Have, Hold, Execute and Enjoy the said office unto him the said A. B., for and during our pleasure, and his residence within our said province, together with all and singular the rights, profits, privileges and emoluments unto the said place belonging, in the most full and ample manner, with full power and authority to hold the Supreme Courts of Judicature, at such places and times as the same may and ought to be held within our said Province: and for so doing, this shall be your warrant: and So we bid you farewell. Given at our Court at St. James the....day of....17...in the..... year of our reign. BY HIS MAJESTY'S COMMAND."

This warrant being received by the governor, he issued letters patent accordingly:

"GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c., to all to whom these presents shall come, greeting: Know ye that we, taking into our royal consideration the loyalty, integrity and ability of our trusty and well-beloved A. B., Esq., have constituted and appointed him the said A. B. our chief justice of and in our province of ..... in America, in the room of L. M., Esq., deceased, to have, hold, execute, and enjoy the said office unto him the said A. B., for and during our pleasure, and his residence within our said province, together with all and singular the rights, profits, privileges, and emoluments unto the said place belonging, in the most full and ample manner, with full power and authority to hold the Supreme Courts of Judicature at such place, and times as the same may and ought to be held within our said Province. In witness whereof we have caused these our letters to be made patent. Witness, His Excellency D. E., Esq., our captain general and governor in chief in and over our said Province of ..... at ..... the ..... day of ..... in the ..... year of our reign. D. E.

"By his Majesty's Warrant, under his royal sign manual and signet, dated at his court of St. James the .. day of .. 17.. in the .. year of his reign."

{ Great Seal of the Province of ..... }

The emoluments of the royal chief justice were by no means inconsiderable, consisting of a salary of £500 from the crown, and fees for almost every judicial act. The fee bill is of interest as manifesting the then practice of the law courts.

The Chief Justices' Fees.—For every writ of *habeas corpus*, two shillings and sixpence; every other writ or process, original, judicial, or mesne, and

every other writ or process whatsoever in a civil or criminal case, one shilling and tenpence halfpenny; every summons at chambers, one shilling; every order or rule, whether at chambers or at court, sixpence; every recognizance taken before him in a civil or criminal case, three shillings and sixpence; every warrant by him, two shillings and tenpence; every mittimus by him, one shilling and tenpence; every affidavit in writing taken before him, one shilling and fivepence; administering an oath in court or at chambers, ninepence; every deposition taken before him to send out of the province, one shilling; every copy of a record under the seal of the court to send out of the province, two shillings and sixpence; every other exemplification under the seal of the court and for signing the testimonial thereof, five shillings and fivepence; taking acknowledgment of satisfaction, ninepence; judge's books on an issue of law or fact in a civil or criminal case, three shillings and sevenpence; taxing a bill of costs in a civil or criminal case, two shillings and fivepence; drawing a special jury, five shillings and ninepence; drawing a special jury at a special court, five shillings and ninepence; every special court and attendance thereon, fourteen shillings and twopence; the admission of an attorney, two pounds, seventeen shillings and sixpence; every judgment confessed out of court, six shillings; taking the private examination of a feme-covert and signing the testimonial thereof, seven shillings and one penny; cross-examination of any witness out of court, three shillings and sevenpence; every attachment for a contempt and seal of court, seven shillings and one penny; every judgment in a civil or criminal case, one shilling and tenpence halfpenny; every motion in arrest of judgment or demurrer in law on special verdict, or for a new trial in a civil or criminal case, one shilling; hearing every motion, six shillings and a penny; every indictment found, three shillings and sevenpence; the examination of a person committed for a contempt of court, ten shillings and ninepence; the admission of a guardian to prosecute or defend a cause for a person under age, two shillings; entering an action in the judge's book that is to be tried by a jury, one shilling; receiving a private verdict, one shilling and sixpence; for allowance of a writ of error, three shillings and sevenpence; returning a writ of error, one shilling and tenpence halfpenny; for the trial or hearing of any cause whether civil or criminal or writ of enquiry, three shillings and sevenpence; discontinuing of any action, one shilling; prohibition granted, four shillings and ninepence; a *dedimus potestatem*, seven shillings and one penny; marking the roll that a writ of error is allowed, one shilling; transcript of the record, examined by the judge to be annexed to a writ of error, three shillings and sevenpence; return of *certiorari* in a civil or criminal case, two shillings; allowance of a writ of *audita querela*, three shillings and sevenpence; every appeal to the General Court from an order or adjudication of any justice or justices of the peace, one shilling; for every capias against defauting jurors, one shilling.

The distribution of the law courts was as follows: The chief court of law was termed the General Court, sometimes the General Court of Pleas, and, in time, was commonly known as the Superior Court, to distinguish it from inferior judicatories. It had all the powers of the King's Bench, Common Pleas, and Exchequer, and is, therefore, the lineal progenitor, in name and common law jurisdiction of the present Superior Court of Georgia, the highest tribunal of original jurisdiction in the State. This court was held by the chief justice and two assistant judges, but any one of them was competent to try causes. The letters patent creating this tribunal will be of interest:

"GEORGIA.

"GEORGE the Second, by the grace of GOD, of Great Britain, France, and Ireland, King, Defender of the faith, and so forth: To all to whom these present letters shall come, greeting: Know ye that we, tendering the state and condition of our province of Georgia, and being willing and desirous that justice be duly and regularly administered therein, have thought fit to erect and constitute and by these presents do erect and constitute a Court of Record, by the name and style of the General Court to be holden yearly at Savannah, within our said Province on the second Tuesday in January, the second Tuesday in April, the second Tuesday in July, and the second Tuesday in October, before our trusty and well beloved Noble Jones and Jonathan Bryan, Esquires, or one of them, whom we hereby appoint our justices thereof, during our pleasure, and others our justices appointed for the time being. And we do hereby give and grant unto the said Noble Jones and Jonathan Bryan, and each of them, and all others our justices of the said General Court, for the time being, full power, jurisdiction, and authority to enquire by the oaths of good and lawful men of the province aforesaid, and by other ways and means by which the truth of the matter may be better known and enquired into, of all treasons, felonies, and other crimes and criminal offences whatsoever, done or committed within our said Province by any persons whomsoever, and the same to hear and determine according to the laws and customs of our said Province, saving to us and our successors all fines, forfeitures and amerciaments, and all other things to us on account thereof belonging and appertaining. And, further, we give and grant to the said Noble Jones and Jonathan Bryan, and each other, our justices of our said General Court for the time being, full power, jurisdiction, and authority to hold pleas in any and all manner of causes, suits, and actions whatsoever, as well criminal as civil, real, personal, and mixed, arising, happening, or being within our said province where the sum or thing demanded shall exceed the value of forty shillings sterling, except only where the title to any freehold shall come in question, and to proceed in such pleas, suits, and actions, by such ways, means, and process, as may with the greatest safety, dispatch, and justice, bring the same to a final determination and also to hear and determine all such pleas, suits, and actions, and judgment thereupon

to give, and execution thereof to award and issue, and this as fully and amply as can or may be done by our Court of King's Bench, Common Pleas, and Exchequer in England, doing therein what of right and justice ought to be done. In testimony whereof we have caused these our letters to be made patent, and the seal of our said province to be affixed thereto. Witness our worthy and well beloved John Reynolds, Esq., captain-general and governor-in-chief, in and over our said province of Georgia, the twelfth day of December in the twenty-eighth year of our reign. J. REYNOLDS.

"By his Excellency's command,

"JAMES HABERSHAM,

"Secretary. [Great Seal of Georgia.]"

Judge Jones was in some sort a provincial Lord Mansfield, having, like the great English jurist, been a soldier in his earlier days. He came into the colony with Oglethorpe as an officer of marines, and did some valorous fighting in the war with the Spaniards at Bloody Marsh and the attack on St. Simons. Later he was made commander of the colony militia, and still later was commissioned colonel of the regiment raised for defense of the province. In 1751 he was made register, or, as we would say, chief of the land office; and two years after was a member of the proprietary governor's council. In 1754 he became a king's councillor and so remained till raised to the bench in 1759. Judge Jones died at an advanced age just at the outbreak of the Revolution.

Jonathan Bryan, the other assistant judge, was born in South Carolina in 1708. In 1752 he settled in Georgia, and on the establishment of the king's government was raised to the bench. Unlike his associate Judge Jones, who was an unswerving loyalist to the last, Judge Bryan was the first man in Georgia to fall under the royal ban in the Revolutionary struggle. He presided over a meeting called in Savannah in 1775 to denounce the action of the crown in seeking to oppress America, and when Sir James Wright called his council together and a motion was made to expel the judge for disloyalty, he at once handed in his resignation as councillor. The king, highly incensed, removed him from the bench; and, after the fall of Savannah Judge Bryan was taken prisoner by the British and sent prisoner to New York. Having been exchanged he returned to Georgia and at a subsequent period, though then eighty years old, fought under General Wayne, closing his life as his associate had begun it, in the tented field.

The practice in the General Court was, for the most part, similar to that in the English courts of law. The action was commenced by suing out a writ, which was made returnable on a day certain, and after the return of the writ, the plaintiff filed his declaration; all original writs issued out of the General Court (except *audita querela*, which issued out of the chancery) and were tested in the name of the chief justice. No real actions were used except actions for dower; titles to land being tried by ejectment, trespass, or replevin. The

practice in criminal cases was also similar to that in the English courts, but no instance of outlawry was ever known.

The General Court was attended by the attorney-general, and had for its executive officer a provost-marshal, who discharged the duties of sheriff. It had also a "Clerk of the General Court," on the civil side of the court, and a "Clerk of the Crown and Peace" on the criminal side. There was also a crier. Fee bills were provided for all these functionaries. Among other items the attorney-general received fourteen shillings on each true bill; seven shillings and a penny for each brief; and the same for each opinion on matters submitted by the governor. The clerk of the crown had ninepence for every indictment, and sixpence for every cause entered on the trial book; swearing the grand jury, each juror fourpence halfpenny; arraignment, two shillings and tenpence, and sentence same. The clerk of the General Court had ninepence for each writ; swearing jury, four shillings and threepence; entering verdict, tenpence. The provost-marshal had three pounds for swearing jury; mileage twopence one farthing; dieting white prisoners, tenpence; negroes, sixpence three farthings; executing a criminal, fourteen shillings and twopence; levy, eight shillings and sixpence; executing bench warrant, three shillings and sevenpence. The crier had sixpence for each cause, and every attorney was bound to give him a shilling at the end of each term of court.

Next is the Court of Ordinary. The royal governor was, as has been seen, ordinary of the province, and had the exclusive power of granting probate of wills and administration of intestate estates. The governor not infrequently appointed a deputy to attend to these matters, and the procedure was this: the executor producing the will to the ordinary made oath that it was the last will and testament of deceased, and that he would truly administer the estate and pay debts and legacies. Appraisers were then appointed on the estate, and their report filed in the office of the secretary of the province. No letters of administration were granted until a citation had been issued and read in the church by the minister during the time of divine service on the Sunday before letters were granted; the administrator was then sworn and appraisement of the estate had as in the case of executors. Some of the fees in the Court of Ordinary were: Marriage license, fourteen shillings and twopence; letters of administration, if under fifteen pounds, three shillings and sixpence; if over, double; probate of will, three shillings and sixpence; letters of guardianship, seven shillings and a penny; letters dismissory, same; litigated cause, fourteen shillings and twopence.

There were also Justice Courts, and it may be here noted that as early as 1773 we see the original of the Georgia Militia District, which is now synonymous with the territorial jurisdiction of a Justice Court. An act of that year provides that the officers of each regiment are "to fix and ascertain the districts or bounds of every company."

The provincial Justice Courts had jurisdiction in actions on contracts, or for damages, up to eight pounds sterling. If the debt or damages claimed were under forty shillings two justices and three jury men were required to sit; if over that amount, two justices and a jury of twelve. Where the debt or damages were under forty shillings there was no appeal from the judgment; if over that amount an appeal might be taken to the General Court. These courts were not officially styled Justice Courts, but Courts of Conscience, but the popular designation was Inferior Courts, just as the General Court came to be known as the Superior Court, whence those names have been transplanted into the present judicial nomenclature of Georgia. The jurisdiction of the Inferior Court was limited to the parish where thinly peopled, or to the subordinate divisions or districts of the parish where more thickly settled. They disposed of a great deal of business, having in addition to their civil jurisdiction authority as courts of inquiry in criminal matters. Some of the items of the justices fee bill illustrate the practice: For a warrant and oath in criminal case, one shilling and fivepence; recognizance, same; commitment, ninepence; warrant in civil cases, one shilling; examining witnesses and hearing and determining a cause, one shilling and fivepence; "a hue and cry, one shilling and tenpence halfpenny."

The Inferior Courts had a constable, who performed duties analogous to the officer of the same name of the present day, and had among his fees the following: Serving warrant, one shilling; poundage, threepence in the pound on all levies; search warrant, two shillings and tenpence; "carrying on an hue and cry, five shillings and fourpence."

Early in the history of Augusta we find James Fraser acting as justice in this city, though under the title of Conservator of the Peace, in which office he was assisted by three freeholders. Under the royal establishment the justices were more numerous. St. Paul's is reported as one of the most populous parishes and had quite a number of justices, among others John Oliver, William Harding, James Marshall, James McFarland, and James Seymour. The office seems to have been one of dignity and importance; and Button Gwinnett, afterwards governor of Georgia, appears in the commission at one time for the parish of St. John. There was also a coroner, and this officer and the local justices were the jury commissioners for all courts held in their respective jurisdictions. In addition to all these courts, special terms of the General Courts were not infrequently held for the expediting of civil business, the court being then termed Courts of Common Pleas, and Courts of Oyer and Terminer were held for the trial of criminal causes. Special taxes were imposed to meet the expenses of these latter tribunals, and among the collectors of this tax at various periods in Augusta were the following: John Rae, Martin Campbell, Patrick Brown, David Douglass, Daniel Clarke, Lachlin McGillivray, John Williams, William Sluthers, Dugald Campbell, John Fitch, Robert Germany, Dr.

William Day, John Pettigrew, and John Walton. The expenses of the Court of Oyer and Terminer were £115 for 1757; for 1758, £135; and for 1760 the same. In this latter year James DeVeaux was senior judge of the court. In 1768 the expenses were £190.

There was also a Court of Admiralty, whereof the governor was judge. We have already seen that, among other attributes, he was vice-admiral of the province. The jurisdiction of this court was quite extensive, and in the separate commission which the governor received as vice-admiral its main features were set out. The commission declared the governor "our vice-admiral, commissary and deputy in the office of vice-admiralty in our Province of Georgia," and empowered him to take cognizance of all maritime causes, of wrecks, pirates, marine forfeitures, "flotson, jetson, lagon," derelict, anchorage, lastage, ballast, "fishes royal, namely, sturgeons, whales, porpoises, dolphins, kiggs, and grampusses, and generally of all other fishes whatsoever, which are of a great or very large bulk or fatness;" to preserve the rivers and ports of proper depth; to reform nets too close, and abate all unlawful engines for the catching of fish; to enforce the trade and revenue acts for the colonies; and determine all matters of prize.

The Court of Vice-Admiralty had exclusive jurisdiction of all maritime cause and matters of prize, and concurrent jurisdiction with the General Court in cases of forfeitures and penalties for breach of any act of parliament relating to the trade and revenue of the British colonies in America, the informer having the option of filing his information in either court. The Vice-Admiralty was fully organized with an advocate-general, the attorney general acting as such, proctors, a register, and marshal. As judge of the Admiralty the governor, or his deputy, he ordinarily appointing one, had, among other fees, for admitting a libel, three shillings and sevenpence; citation, one shilling and tenpence; hearing the cause, fourteen shillings and twopence; interlocutory decree, seven shillings and a penny; definitive sentence, fourteen shillings and twopence; issuing letters of marque, two pounds and two shillings. The advocate-general had, retainer, fourteen shillings and twopence; arguing point of law, seven shillings and one penny; brief, three shillings and seven pence; court fee in each cause, seven shillings and one penny. The proctors had same fees as the advocate-general. The register had, for each warrant, one shilling and tenpence; citation, ninepence; decrees, fourpence halfpenny per sheet; services on letters of marque, four shillings and threepence. When pirates were tried he had, for reading the commission of piracy, one shilling and one penny halfpenny; accusation, ninepence; sentence, one shilling and tenpence halfpenny. The marshal had five shillings and ninepence per day for keeping a ship, and tenpence halfpenny for a person, with same for supplying him with one pound of flesh and two pounds of bread; hanging pirate, fourteen shillings and twopence.

A system of appeals in civil causes was provided for all these tribunals. The appeal from the decrees of the governor sitting in chancery has already been mentioned. It lay from the chancellor to the king, where the amount involved was over £500. The appeal from the Inferior or Justice Courts to the General Court has also been mentioned, as lying when the debt or damage in question was over forty shillings.

An appeal lay from the General Court to the governor and council, sitting as a Court of Error, in any cause where the sum involved exceeded £300, or where any duty payable to the crown or any fee of office, annual rent, or other such matter which might determine rights in future, was involved. The appellant was to enter his appeal in fourteen days after rendition of the judgment complained of, and give good security for prosecuting his appeal effectually and payment of the eventual condemnation money and all costs and damages assessed against him by the appellate court. On this being done, the governor issued a writ of error to the General Court, the form whereof was as follows: "GEORGIA:

"GEORGE the Third, by the grace of GOD, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth: To our trusty and well beloved Anthony Stokes, Barrister at Law, our Chief Justice of our Province of Georgia, Greeting, Whereas by our fifty-second instruction to our Governor and Commander-in-Chief of our said Province or Colony of Georgia, we have thought fit to authorize him, or the commander-in-chief of our said Province for the time being, to permit and allow appeals from any of the Courts of Common Law, in our said Colony, and to issue a writ for that purpose returnable before him, and the Council of our said Colony; provided that in all such appeals the value exceeds the sum of three hundred pounds sterling, and that security be first duly given by the Appellant, to answer such charges as shall be awarded in case the first sentence be affirmed, as in the said in part recited instruction is more fully contained. And Whereas Richard Roe, of our said Province of Georgia, Esquire, hath by his petition alleged that in the record and process, and also in the giving of judgment of the Plaint, which was in our General Court of our said Province of Georgia, before you the said Anthony Stokes, our Chief Justice of our said Province of Georgia, and your fellows, our Justices of our said General Court, by our writ, between John Doe (on the demise of Matthew Stiles) and the aforesaid Richard Roe, of a certain trespass and ejectment of farm, manifest error hath intervened to the great damage of him the said Richard Roe, as we from his complaint are informed. And whereas by the affidavit of the said Richard Roe made before you, our said Chief Justice, it is alleged that the premises mentioned in the declaration filed in the cause aforesaid, with the improvements, are worth five hundred pounds, lawful money of our said Province: We, therefore, being willing that the error, if any there be, should be corrected in due manner, and that full and

speedy justice should be done to the parties in this behalf, do command you that, if judgment thereof be given, then (on the said Richard Roe's giving before you such security as by our said in part recited instruction is directed) the record and process of the plaint aforesaid, with all things concerning them, to his Excellency, our trusty and well beloved Sir James Wright, Baronet, our Captain, General and Governor-in-Chief in and over our said Province of Georgia, and Chancellor, Vice-Admiral, and Ordinary of the same; and the Honorable Council of our said Province, under your seal, to wit: on the .... day of ..... next ensuing, distinctly and openly you send, and this writ; that the record and process aforesaid being inspected, our said Governor, with the assent of our said Council, may further cause to be done therein for correcting that error what of right and according to the law and custom of England, in force in our said Province of Georgia, ought to be done. Witness our said Governor in-Chief of our said Province, in Council, at Savannah, the .... day of ..... in the fifteenth year of our reign. JAS. WRIGHT.

"By His Excellency's Command, } { Great Seal }
"A. B., Clerk of the Council. } { of Georgia }

On the return of the writ the cause was heard before the governor and council, but no councillor who had presided as judge at the rendering of the judgment under review was competent to sit, though allowed to attend and give in his reasons for rendering the same.

From the judgment of the governor and council an appeal lay to the crown, if the matter in dispute was £500 in value, or touched questions of general import as above stated, the royal revenue, office fees, etc. The appeal from the Court of Errors to the crown was to be made in fourteen days, and security was to be given as before, for the eventual condemnation money, costs, and damages. The papers were to be transmitted and the appeal pressed within one year from time of entering the same in the Colonial Court. The governor and council when sitting on appeals were styled the Court of Errors.

In criminal causes there was no writ of error, but the governor could pardon all offenses save treason or murder, and in those could reprieve till the pleasure of the crown was known. He could also remit all fines imposed for misdemeanors, and if the fine was £200 or over, his refusal to remit could be carried by appeal to the crown.

From the vice-admiralty an appeal lay, of right, to the crown, where the sum in question was £500 or over; if under that value the defendant had the right to petition the crown for leave to appeal; on which leave, if granted, an appeal could be entered on giving the usual security. This given, an order in council was made directing the Vice-Admiralty Court to furnish the petitioner with a certified transcript of the record of the cause.

It but remains to speak of the Colonial Bar. The practitioners in the West India Islands had a much higher reputation in the profession than those of the

continental colonies, one reason given being that the sugar plantations of the former were enormously valuable, while the landed interests of the latter were of much less importance. In Georgia the offices of counsel and attorney were united, and three classes of lawyers were known, first, those who had been regularly called to the inns of court in London; these, on producing certificates, were at once admitted to practice; secondly, those who had served clerkships in Great Britain, Ireland, or the colonies; and thirdly, those who, through interest, were admitted to the bar without such preliminary training; these, in the language of the times, being said "to turn lawyers." The practice in Georgia was good, so much so that it was complained that the attorneys were so busy using what small knowledge they begun with as not to have leisure to acquire any more. Chief Justice Stokes inveighs against the haste and carelessness of his bar, and such of the Carolina attorneys as came before him, instancing in particular that they would annex the several sheets of their indentures hind side before. This was probably the more distasteful to him, as he was himself a barrister, trained to all the nicety of Westminster Hall. The attorney's fee bill has these, among other items: Retaining fee, seven shillings and a penny; warrant of attorney, ninepence; every attendance necessary in the cause, one shilling and fivepence; filing writ and signing same, two shillings and twopence; copy of writ and notice, one shilling and fivepence; if long and special, three shillings; drawing declaration plea, replication, rejoinder, demurrer, rejoinder in demurrer, or other pleading, two shillings and tenpence; and, if special, double; rule to plead, for trial, or other common rule, ninepence; brief, three shillings and sixpence; court fee, not exceeding two courts, three shillings and sevenpence; pleading fee, seven shillings and a penny; "the attorney to pay the petit jury in every cause tried or enquiry executed, three shillings and sevenpence"; drawing judgment, one shilling and tenpence halfpenny; fee on ending cause, same; ——- at which last item the client's heart must have leaped with joy, the bill being of formidable length and exceedingly "special."

Such, then was the judicial establishment of Georgia under the colonial government. It is readily seen to have been the germ of the existing system. Our Superior Courts, Courts of Ordinary, Justice Courts, the old Inferior Court, our Georgia Militia District as the basis of the territorial jurisdiction of the courts, our system of appeals, are directly descended, name and thing, from

"———, the good old Colony times,
When we lived under the King."

The form, and pomp, and style and circumstance of that day were wonderful. It was the era of huge seals, fine robes and high sounding titles. The Colonial seal was of silver, and had on one side a figure, supposed to represent the genius of the Colony, offering a skein of silk to his majesty—it being then thought that the province was destined to become a silk raising country—with the inscriptions, *Hinc laudem sperate Coloni* (Find ye Colonists, your glory

here), and *Sigillum Provinciæ nostræ Georgiæ in America* (The seal of our Province of Georgia in America). On the obverse were the royal arms and the inscription: *Georgius II., Dei Gratia Magnæ Brittaniæ Fr. et Hib. Rex Fidei Defensor, Brunswici et Lunenbergi Dux Sacri Romani Imperii Archi Thesaurarius et Elector;* or, George II., by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Lunenberg, of the Holy Roman Empire, Arch-Treasurer and Elector.

A stand of the colonial colors cost £30 sterling; and the robes and mace of Mr. Speaker, with a gown for the clerk of the Commons, cost £150. By way of comparison it may be here noted that Rev. Mr. Ellington, at this time minister of St. Paul's at Augusta, received from the treasury a salary of but £15 per year.

Rank and precedency were jealously guarded by set rules which have been preserved and may here be reproduced:

"Rules of precedency compared and adjusted from the several acts and statutes made and provided in England for the settlement of the precedency of men and women in America, by Joseph Edmonson Mowbray, Herald."

Governor of the Province, his wife.
Lieutenant-Governor, his wife.
President of the Council, his wife.
Members of His Majesty's Council, their wives.
Speaker of the Commons House of Assembly, his wife.
Chief Justice, his wife.
Treasurer, his wife.
Associate Judges, their wives.
Baronets, their wives.
His Majesty's Attorney-General, his wife.
Judge of the Admiralty, his wife.
Secretary of the Province, his wife.
Members of the Commons House of Assembly, their wives.
Mayor, his wife.
Aldermen, their wives.

Beneath all the pomp and circumstance of the colonial establishment lay a wise, fairly proportioned and justly distributed form of government, the main and substantial features whereof, especially in the judicial department, yet remain. Under that establishment were reared a number of lawyers who, despite the chief justice's criticism, a criticism possibly tinged with the acerbity of the times, well understood the principles of the British constitution and the rules of the English common law. Out of their ranks came, as we shall see, some of the ablest champions of the cause of independence; and, when the victory was won, the retention by their influence of the substance of the old judicial régime, is the best testimony to its inherent worth.

CHAPTER XX.

BENCH AND BAR CONTINUED.

The Judicial Establishment of 1776--Constitution of 1777—The Superior Court—Judiciary Act of 1778—Reopening of the Courts in 1782—Judiciary Act of 1789—Two Circuits—Chief Justice Glen—Judge Few—Chief Justices Glen, Stephens and Wereat—Chief Justice George Walton—Chief Justice Osborne—Richmond Superior Court in 1787—Benefit of Clergy—Branding and the Pillory—Grand Jury Presentments—Chief Justice Pendleton.

IN April, 1776, opposition to the royal authority in Georgia had progressed so far that the Provincial Congress formed a provisional government for the province, until other measures could be concerted. This instrument provided for the election of a president and commander-in chief and a council of safety of thirteen by the congress, and further directed as follows:

"That all the laws, whether common or statute, and the Acts of Assembly which have formerly been acknowledged to be of force in this Province, and which do not interfere with the proceedings of the Continental or our Provincial Congresses, and also all and singular the resolves and recommendations of the said Continental and Provincial Congress, shall be of full force, validity and effect until otherwise ordered.

"That there shall be a Chief Justice and two assistant judges, an attorney-general, a provost-marshal and clerk of the Court of Sessions, appointed by ballot, to serve during the pleasure of the Congress. The Court of Sessions or Oyer and Terminer, shall be opened and held on the second Tuesday in June and December, and the former rules and methods of proceeding, as nearly as may be, shall be observed in regard to summoning of juries, and all other cases whatsoever.

"That the President and Commander-in-chief with the advice of the Council, shall appoint magistrates to act during pleasure in the several parishes throughout this Province, and such magistrates shall conform themselves, as nearly as may be, to the old established forms and methods of proceedings."

Archibald Bullock was elected president of the province and John Glen chief justice. By the proceedings of the congress it appears that almost all the magistrates in the province had refused to act, "whereby all judicial powers are become totally suspended, to the great danger of persons and property"—a state of things which evidently led to the judicial reorganization, so to speak, embodied in the provisional constitution Under this instrument the affairs of the province were administered until on February 5, 1777, a regular State Constitution was adopted. By this a court to be called the Superior Court, was established in each county; it was to consist of the chief justice and three or more of the justices resident in the county; it had jurisdiction of all manner

of causes, except admiralty; was to sit twice in each year; no cause was to depend therein more than two terms, nor were the costs in any action to exceed three pounds. In civil causes, either litigant dissatisfied with the verdict of the jury might appeal therefrom in three days to a special jury whose determination was final. The special jury was selected as follows: the plaintiff and defendant each chose six; six more names were taken at random out of a box provided for that purpose; the whole eighteen were summoned and all their names put in the box, and the first twelve drawn were the jury. The special jury were sworn "to bring in a verdict according to law and the opinion they entertain of the evidence, provided it be not repugnant to justice, equity and conscience and the rules and regulations contained in the constitution, of which they shall judge." The special jury was the old Colonial Court of Errors and the King in Council. A register of probates for proving wills and granting letters of administration was to be appointed by the legislature in each county. The Courts of Conscience or Justice Courts, were continued as theretofore practiced, but their jurisdiction was extended to ten pounds. Admiralty causes were triable in a special court called by the chief justice in the county where the same might arise, with an appeal from one jury to another as in the Superior Court, and an appeal from the special jury to the Continental Congress. No person was allowed to plead as attorney unless authorized so to do by the Legislature. All civil causes were to be tried in the county of the defendant's residence, except in cases involving title to land which were triable in the county where the land lay. The parishes were formed into counties, the parish of St. Paul becoming Richmond county, so called after the Duke of Richmond, a friend of American independence. The Superior Court in Richmond was to meet on the fourth Tuesday in March and October.

In 1778 there was passed "An act for opening and regulating the Superior Courts in the several counties of this State, and for the more convenient administration of justice in the same, agreeable to the Constitution thereof," which made provision for the Superior Courts of the counties of Chatham, Liberty, Effingham, Burke, Richmond, and Wilkes, there being at this time but eight counties in the State, to wit: those just named and Camden and Glynn. In each county four justices of the peace were named—those for Richmond being John Walton, James McFarland, Dionysius Wright, and William Few—and these were made "assistant and associate judges," and, with the chief justice were to hold the Superior Court, and "have cognizance of all pleas civil and criminal, and of all causes of what nature and kind soever, according to the custom and usage of courts of law and equity." The jurisdiction of the court on the law side extended to all cases where the amount involved was over £10, or where title to land was involved, or in appeals from the register of probates. It is also likely, though not so expressly stated, that it had cognizance of appeals from the courts of conscience, the constitution of 1777 providing that

those tribunals should "be continued as heretofore practiced," and there having been an appeal from them to the General Court under the colonial establishment in cases involving over forty shillings, as we have seen. The petition was to "contain the plaintiff's charge, complaint, allegation, or demand plainly and distinctly set forth, and be signed by the party or his attorney." All writs were to be tested by the chief justice or senior assistant judge of the county, directed to "all and singular the sheriffs of this State," and made returnable twenty days before the first setting of the court. The writ and a copy of the petition were to be served by the sheriff or his deputy on the defendant personally, or by leaving the same at his "usual and notorious place of abode," twenty days before court. The court was to award judgment according to the verdict of the jury, and award execution thereof within ten days thereafter. The court fees, or costs, were: to the chief justice, or, in his absence, the senior presiding associate, fifteen shillings; the attorney, one pound; the clerk and sheriff, each, ten shillings. If the execution were levied, the sheriff had: levy, ten shillings; mileage, fourpence a mile; commissions on sale, five per cent; making conveyance, one pound.

No one was a competent traverse juror unless a freeholder, that is, seized in his own right, in fee simple, fee tail, or for life, of fifty acres of land; or a householder, seized, in like manner, of a town lot. No one was a competent grand juror unless seized of a like estate of not less than two hundred and fifty acres of land, or in the commission of the peace, and the associate justices were to annually go over the list of those so qualified and select the "most able and discreet" thereof as grand jurors. A jury box was to be provided with four compartments, numbered respectively one, two, three, and four, and the names of the grand jurors written on separate pieces of paper, were to be placed in No. 1, and of the traverse jurors in No. 3. On the last day of the term, in the presence of one of the associate judges and the clerk, some indifferent person was to draw out of No. 1 the names of thirty-six persons to serve as grand jurors at the next term, the slips to be then deposited in No. 2. Out of No. 3 were to be drawn thirty-six as petit jurors, the slips, as drawn, to be deposited in No. 4. When Nos. 2 and 4 were exhausted, the drawing was reversed back to Nos. 1 and 3. The clerk then entered the names on his minutes, and the sheriff delivered the jurors a precept ten days before court. From the petit jurors the act provided that "a jury shall be balloted and drawn for every cause, in like manner as has hitherto been used and accustomed in the courts of law in this State." That method no doubt was that of the English courts, where the names of the jurors were written on tickets which were then put in a box and shaken; and the twelve first drawn were the jury, unless challenged. "Ministers of the several churches, or of any dissenting congregations, members of the executive council or house of assembly; sworn attorneys, physicians, surgeons, apothecaries, mad men, idiots, and sick persons," were exempt from jury duty.

Where a caveat was filed before the register of probate either party might appeal from the determination thereon in four days, whereupon in ten days thereafter the associate judges were to meet and pass on the appeal, an appeal lying from their judgment to the Superior Court.

On the criminal side the court had cognizance of all offenses, and in capital cases could respite for thirty days after sentence. If the attorney-general did not attend to prepare and prosecute indictments, the court appointed "any barrister or attorney at law, or other fit person," so to do.

On the equity side of the court it was provided "That where any case which may be, or heretofore was cognizable in a court of equity shall happen, the same shall be introduced by way of petition to the Superior Court of each county, as the case may require, which court is empowered to determine finally on all such cases as courts of equity have heretofore usually done."

In the same year, 1778, it was enacted that "all laws heretofore made in the then province, now State, of Georgia, and not repealed, and all the laws of England, as well statute as common, and heretofore used and adopted in the courts of law of the then province, now State, of Georgia, and which were used and of force at the time of the Revolution, shall be of full force, virtue, and effect, to all intents and purposes as were heretofore had and used, as the law of the land, any law, usage, custom, article, matter or thing at present adopted in a change of government to the contrary in any wise notwithstanding, so far as the same do not contradict, weaken, hurt, or interfere with the resolves and regulations of the honorable the Continental Congress or any resolve or regulation of this or any former assembly, congress, or convention held in and for this State, and in particular the constitution of the same."

Inter arma cessant leges, however, and the fury of war soon closed the courts and silenced the voice of justice until in 1782 the British withdrew from the State. In the interim a State and a King's Assembly held alternate sway, and as each gained ascendancy, thundered forth acts of attainder against the adherents of the other. The State attainted Sir James Wright, Chief Justice Stokes, and other loyalists, and confiscated their estates, appointing commissioners in the several counties to bring such estates to the hammer, the commissioners for Richmond being Robert Walton, Seth John Cuthbert, Benjamin Few, William Glascock, John Walton, and William Jackson. The King's Assembly retorted with an act disqualifying from any office under the crown Governor Houstoun, Chief Justice Glen, Seth John Cuthbert, rebel major; William Glascock, rebel councillor; Robert Walton, rebel commissioner; Dionysius Wright, rebel judge, and many others, kindly offering to rehabilitate them on their giving security to be of good behavior, or serving "his majesty as a private soldier for and during the continuance of the present American rebellion;" otherwise, when caught, "to be impressed and carried into his majesty's sea service."

In 1782, on the cessation of hostilities, the courts were ordered to be opened and, in order to simplify the practice, it was enacted "that in all cases whatsoever, demurrers, special pleas in abatement, and all unnecessary prolixity and nicety shall as much as possible be discouraged by the several courts within this State; the general issue shall be usually plead, and all matters of fact which go to the merits of the dispute, and are for the advancement of justice between the parties at variance shall be allowed to be given in evidence under the said plea, though not coming within the strict rules of former practice; and in every case it shall be at the discretion of the court to admit parties to avail themselves of substantial advantages as well by motion as if the same had been brought on by a formal plea."

From the same act we learn that the courts of conscience held monthly sessions with jurisdiction up to forty shillings, and quarterly terms for causes of from forty shillings to ten pounds in value.

In 1789 the State was divided into two judicial districts, called respectively the eastern and western, the counties of Camden, Glynn, Liberty, Chatham, Effingham, and Burke composing the former; and Washington, Greene, Franklin, Wilkes, and Richmond, the latter. It was provided that there should be two judges of the Superior court, one for each district. This court had jurisdiction of all pleas, civil and criminal. In equity causes, the court was to have all the powers of a court of equity, referring issues of fact to a special jury. Courts called the Inferior County Courts were established in each county, to consist of "the first five justices mentioned in the commission of the peace, or any three of them;" to hold quarterly sessions; and have jurisdiction of all civil causes, not involving title to land, with a right in defendant to remove any cause involving fifty pounds or over to the Superior Court, and an appeal thereto in all cases of over five pounds. Justice Courts were also established for the trial, without a jury, of cases not involving over five pounds, with right of appeal to the Inferior Court. No person was allowed to practice law in the Superior or Inferior courts, unless so admitted by the Superior Court, after examination in open court. This act makes many rules of practice in the several courts thereby established, and may be regarded as the original Judiciary Act of this State. In 1791, 1792, 1793, 1796, 1797, and 1799 other acts of like general tenor were passed, the last named whereof is ordinarily known as the Judiciary Act, but the basis of our present judiciary establishment is marked out in that of 1789. Having progressed this far, we may compare the Colonial with the State establishment. In the colony the royal governor was the chancellor, the ordinary, and the judge in admiralty; the General Court was the court of common law jurisdition, having the powers of King's Bench, Common Pleas, and Exchequer. The Inferior Court was a county court as to its quarterly sessions and a Justice Court at its monthly terms. An appeal lay from the Inferior Court to the General Court, and from the General Court to

the governor and council sitting as a Court of Errors. From the Chancery and Admiralty an appeal lay to the crown.

The present judicial establishment of Georgia is this: Admiralty jurisdiction is vested in the Federal Courts, pursuant to the Constitution of the United States. The powers of the General Court and of the Royal governor as chancellor are vested in the Superior Court which is King's Bench, Common Pleas, Exchequer, and Chancery. The powers of the King's governor as ordinary are vested in the Court of Ordinary, the State after first reposing them in a register of probates and afterwards in the Inferior Court, finally returning to the original name and style. The County Court has a jurisdiction subordinate to the Superior Court, and the Justice Courts, still sitting monthly, one less than the County Court. From the Court of Ordinary, County Court, and Justice Court an appeal lies to the Superior Court, and from that to the Supreme Court, our Court of Errors. The harmony and proportions are essentially the same, and justify the assertion that Sir James Wright and Chief Justice Stokes laid in their time the basis of a legal structure which has stood the test of over a hundred years.

Coming now to Augusta, it must be borne in mind that the county of Richmond was originally of great extent, reaching from McBean Creek to Little River on the northwest and to the Ogeechee on the southwest, thus necessitating a court-house at some central point. At the outbreak of the Revolution it was at Brownsborough, but in 1780 was established at Augusta for and during the war. In 1784 it was located "at the place where the road crosses the Little Kioka Creek, leading to the meeting-house;" and in 1790, by the act which cut off Columbia county, was fixed at Augusta, where it has since remained.

Of the judges who have presided and the lawyers who have practiced in Richmond county in bygone days, it now remains to speak

From 1777 until 1790, the Superior Courts were held, as we have seen, in each county by the chief justice of the State and the justices of the peace in that county as associate or assistant judges. As organized in 1778, the Superior Court of Richmond county was to be held by John Glen, chief justice, and John Walton, James McFarland, Dionysius Wright, and William Few, assistant judges, but no record remains of any session. Augusta was the scene of sanguinary hostilites for several years succeeding this date, and not until late in the year 1782 was the usual course of justice restored and the courts reopened. We find that in 1780 William Stephens was chief justice, and in 1781 John Wereat, and that, in 1782, a session of the Superior Court of Richmond was held, but it does not appear who was then chief justice. In 1783 George Walton was chief justice; after him Henry Osborne; and in 1789 Nathaniel Pendleton who appears to have remained such until the above mentioned act of 1789 went into effect, which did away with the system of a chief

justice and assistant judges presiding in the Superior Courts, and supplied their places with one Superior Court judge. From 1790, when this change took place, we have a complete court roll of the judges presiding in Augusta; but before speaking of them, will give such information as is obtainable in reference to the system under the chief justices. John Glen, first chief justice of the State, was a resident of Savannah, and early in 1775 was chairman of the first Provincial congress called in Georgia to concert measures of union with the other colonies in opposition to the crown, and in 1796 judge of the Superior Courts of the Eastern Circuit. John Walton was a delegate from Richmond to the second provincial congress, and was one of the committee appointed by that body to memoralize the royal governor, Sir James Wright, in the interests of the liberties of the subject, the memorial stating that the objects of the congress were "a reconciliation with our parent State on constitutional principles, as well as to endeavor to preserve the peace and good order of the province." Mr. John Walton was also a delegate to the Continental Congress in 1778, and signed the Articles of Confederation. Dionysius Wright was a planter in Richmond, and one of the prominent Americans embraced by name in the British Disqualification Act. William Few, the other associate judge with Chief Justice Glen, was long and honorably prominent in Georgia affairs. His father was one of the original settlers of Pennsylvania, coming over with Penn, and in 1776 the son removed to Georgia, and settled at Augusta. Here he at once attained prominence, and was sent as a delegate to the convention which framed the State constitution of 1777. In 1778 he guarded the western frontier against the Indians, and afterwards became assistant judge as above stated; in 1780 was sent as one of the delegates from Georgia to the Continental Congress, and again in 1782, 1785, 1786, and 1788. On the conclusion of peace he began to practice law in Augusta, and in 1787 was a delegate to the convention framing the Constitution of the United States, as also the Georgia Convention which adopted it at Augusta on January 2, 1788. On the inauguration of the government under the constitution, Mr. Few was elected United States senator and served in that body till 1793. In 1796 he was appointed judge of the Superior Court of the Middle Circuit, which included Augusta, and served in that capacity till 1799, when for the benefit of his health, he removed to New York. Of that city he was chosen mayor, and died there, after a long life of activity and honor, in 1828.

William Stephens, the second chief justice, was the son of William Stephens, who was governor of Georgia in 1743 under the régimé of the Trustees, succeeding General Oglethorpe in that office. Chief Justice Stephens was clerk of the Commons House of Assembly under the royal government, and the first attorney-general of the State. From 1796 to 1798 he was judge of the Superior Courts of the Eastern Circuit, and afterwards United States district judge of Georgia.

Chief Justice John Wereat was the president of the Provincial Congress of 1776; was Governor in 1778; and president of the convention which ratified the Constitution of the United States in 1788. He was a man of considerable financial ability, which proved of great assistance to the State in its struggle; and was noted for his kindness to the people about Augusta. The close of the Revolution found them distressed, impoverished, and almost starving, and to relieve them Governor Wereat put all his boats and slaves at work bringing provisions up the river and continued the good work until their needs were supplied.

Chief Justice George Walton was a central figure in the history of this period. He was born in Virginia in 1740, and early developed that thirst for learning which is the precursor of influence and renown. As a lad he was apprenticed to a carpenter who thought it extravagance to allow his apprentice a candle to read by at night, but the young scholar, gathering lightwood, pursued his studies by the light of his fire. After his indentures were out he removed to Georgia, studied law, and in 1773 was admitted as a solicitor in Chancery. At the outbreak of the Revolution he at once took the patriot side and labored assiduously to have Georgia unite with her sister colonies in opposition to the crown. He was one of the committee to prepare an address from Georgia to the other colonies; was president of the Council of Safety, and in 1776 was sent as a delegate to the Continental Congress where, on July 4, he signed the Declaration of Independence, with Lyman Hall and Button Gwinnett, on behalf of Georgia. The same year Congress appointed him, together with Robert Morris, the celebrated financier of the Revolution, and George Clymer, of Pennsylvania, a special committee to attend to certain important affairs of the United States at Philadelphia, including the fitting out of the Continental frigates. In 1777 Congress again placed him on a special committee with instructions to distribute $1,000 in presents to the Indians of the Six Nations, and secure their good will to the Continental cause. In 1778 Mr. Walton was again appointed delegate to Congress, but in the latter part of that year returned to Georgia and, in the battle of December 29, at Savannah, commanded a battalion on the American right. In that disastrous defeat, he was severely wounded and taken prisoner. In 1779 he was exchanged, and on his return elected governor. The next year, the governor then being appointed annually, he was again sent as a delegate to Congress. In 1783 he was made chief justice of Georgia; in 1787, sent as a delegate to the convention which framed the Constitution of the United States; and in 1789 was again elected governor. On the expiration of this term he was made judge of the Superior Courts and presided in Richmond in 1790 and 1791. In 1793 he was again made judge of the Superior Court, and served as such till sent to the United States Senate in 1795. In 1799 he was again made judge of the Superior Court and sat therein till his death, at Augusta, February 2, 1801.

Judge Walton was, indeed, part and parcel of his times, and from his long continuance in public life, the high stations he held, and his wide and varied experience, it is greatly to be regretted that he did not carry out the purpose once entertained by him of writing a history of Georgia. His portrait hangs on the wall of the Superior Court room in Augusta, and in front of the court house stands a granite obelisk erected in his honor and in commemoration of his associates, Button Gwinnett and Lyman Hall, both governors of Georgia like himself, in signing the Declaration of Independence.

Chief Justice Henry Osborne was a resident of Camden, and like Judge Walton, took a prominent part in the Revolutionary struggle. In 1788 he was member of the convention which ratified the constitution of the United States, but principally appears in the history of those times in a judicial capacity. The minutes of Richmond Superior Court in 1787–9 give a lively picture of legal procedure in the days of this chief justice. The presiding judges were Henry Osborne, chief justice, and Charles Crawford, James McFarland, and James McNeil, assistant judges. The grand jury at March term, 1787, was Samuel Wilson, William Maddox, Archibald Beal, James Sims, David Maxwell, Thomas Pace, David Walker, William Jones, Randal Ramsey, jr., Thomas Green, jr., Thomas Hanson, William Winingham, Charles Bostwick, Nathaniel Cocke, Henry Turknett, James Stallings, Anthony Haynes, Solomon Ellis, Joseph Thomas, Samuel Alexander, jr., and Stephen Day. The charge to the grand jury was delivered by the chief justice, who reminds them that the proper administration of the criminal laws depends on their cooperation, and invites their attention to the propriety of an amendment of the State constitution. The clerk of court was N. Harris, and Mr. Pendleton, an attorney, moves a rule against him for neglect of duty in reference to summoning jurors and entering a certain appeal. It seems the clerk had sent out no venire, and it is not till next day that petit jurors could be obtained, when James Tinsley, James Cobb, John Pitman, Jacob Bugg, Isham Bailey, Thomas Jones, William Hogg, John Lampkin, Job Jackson, Peleg Rogers, Reuben Barrow, and Samuel Langston appeared. On one day of court the assistant judges were Charles Crawford, William Glascock, and Thomas Low. Another day no chief justice appears, and the court is held by William Glascock, James McNiel, John Cobb, and Henry Allison, assistant judges. It seems to have been the practice for any of the justices of the peace to come in and sit as assistant judges or depart at pleasure, and that the presence of the chief justice was not indispensable, provided as many as three judges occupied the bench. The attorneys whose names appear at this period are Nathaniel Pendleton, William Stith, Seaborn Jones, William Few, and Abraham Baldwin. A few terms later T. P. Carnes, Robert Watkins, P. Carnes, C. Jackson, Dickinson, Sullivan, Robert Porter, Huntington, and Williamson appear. Verdicts for considerable amounts were not uncommon, but there was an appeal in almost every

litigated cause. One case will show the practice: plaintiff has a verdict for £281 11s. 3d. 3f., and Jones, for defendant, moves an appeal; defendant brings in his sureties, and the clerk tests the bond. The entire record of the appeal is placed on the minutes, but does not exceed ten lines. Many judgments are confessed, and appeals dismissed for want of prosecution. Once an appellant refuses to prosecute his appeal and pays cost; Jones, for appellee, objects and insists on a trial. Unanimously overruled. The bar moves the court for instructions as to the proper manner of appealing from the Inferior to the Superior Court. The court answers that the procedure is to be the same as governs an appeal from one jury to another in the Superior Court. The reference of cases to arbitration is a common feature. The confusion and depreciation of currency during the Revolution made it difficult very often to ascertain the true amount due in specie, and these references were made in order that the computations, often complicated, could be properly made. To obtain the testimony of non-resident witnesses, a rule was moved and order made that the other side should have so many days notice, and that the interrogatories should be received as evidence. A defaulting juror is fined £100; and we find appeals from the Courts of Conscience. Five of these courts were held in the county, and their respective jurisdictional limits, and the places at which the court was to be held are specified in an order of court, namely, district No. 1, at Augusta; No. 2, at Richmond Court House; No. 3, at Brownsborough; No. 4, at Wrightsborough; and No. 5, at Rocky Comfort.

One case seems to have attracted considerable attention, Ogilvie *vs.* Telfair and Kelsall, executors, Pendleton appearing for the plaintiff and Jones for defendants. Plaintiff moved a rule for defendants to show cause why execution should not issue on a judgment for £6,000 obtained by him against them in the General Court of the then province, now State, of Georgia, in 1775. Defendants plead *nul tiel record*, or that there was no record of such a judgment, and for further plea, that if there ever had been such debt it had been confiscated by the sequestration act of the State, plaintiff having adhered to the crown in the Revolutionary struggle. Plaintiff replied that his judgment was of record, and that by the treaty of peace between the United States and his Britannic majesty it was stipulated that creditors on either side should have no impediment in the way of collecting their debts. Defendants rejoined that said treaty did not extend to the judgment in question, the same having been sequestered before the peace, and was therefore no debt due plaintiff. Chief Justice Osborne delivered the opinion. Oyer, he said, had been had of the record produced, and, on inspection, it was nothing more than a transcript from the books of the provost-marshal before the Revolution, and this was not, in the opinion of the court, a sufficient record to prove a judgment. Moreover, it was matter of notoriety that the records of the prothonotary's office had been carried away by the British in 1778, and plaintiff being a British subject, could, and should have produced the record, wherefore judgment for defendants.

On the criminal side of the court we see the common law in full operation. One Robert Farish is indicted for murder, but there seems to have been considerable diversity of opinion in his case, the bill being brought in with the entry "14 say a true bill." Being put upon trial, the jury find that, according to the technical state of the law, he is guilty of manslaughter, but recommend lenity to the court. The judgment we give verbatim:

"And it is demanded of the said Robert Farish if he hath or knoweth anything to say wherefore the said judges here ought not upon the premises and verdict aforesaid to proceed to judgment and execution against him, who saith he is a clerk and prayeth the Benefit of Clergy; when, all and singular the premises being seen and by the said judges understood: It is Considered by the Court here that the said Robert Farish be burned in his left hand and delivered, and immediately he is burned in his left hand and delivered according to the form of the statute. HENRY OSBORNE.

"19 Jan., 1788."

Another convict does not fare so well. Being found guilty of horse stealing, he is sentenced to stand in the pillory two hours, and then to be publicly whipped on his bare back on Monday, Tuesday and Wednesday, thirty-nine lashes each time, and then to be branded on the left shoulder with the letter "R," and be discharged.

Another fellow, a cow stealer, is sentenced to two hours in the pillory, a whipping of thirty-nine lashes on Tuesday and Wednesday, then six months' confinement in jail, with a flogging at the market-house in Augusta on the last Saturday of his imprisonment; to be branded "R" on the shoulder, and discharged.

With all this, the grand jury presents as a grievance the lenity of the law toward horse and cattle thieves, and says the punishment should be death, unless recommended to mercy. It further complains of the non-enforcement of the laws by justices of the peace, particularly in the article of tippling-houses, gambling, and profane swearing, and says that "many fall into these vices their duty compel them to punish in others." It presents the inhuman practice of dueling as being then rampant and fashionable; it declares the estray laws "little better than robbery," and presents divers persons by name for overcharging for liquor (the law then fixing a tariff for publicans), and one for having "a ball-battery," probably ten-pins. It presents as a grievance that the Legislature will sit for the transaction of public business on Sunday, in defiance of previous presentments, and declares all the surplus paper money should be destroyed. Each grand juror signs his name in full and affixes his seal thereto.

Chief Justice Nathaniel Pendleton, the last of the State's chief justices of this era, was admitted to the bar in 1785, and in 1787 was one of the delegates of Georgia to the convention which framed the Constitution of the United

States. In 1789 he was appointed chief justice of Georgia. In the next year the system of having a chief justice for the whole State to preside in the Superior Court of each county in rotation with the resident magistrates as his associates was abandoned. The State was divided into two judicial districts and two judges were appointed to hold the Superior Courts therein.

CHAPTER XXI.

BENCH AND BAR CONTINUED.

Augusta's Early Bar — Abraham Baldwin — Governor John Milledge — Governor Telfair — William H. Crawford — Robert Watkins — T. P. and P. J. Carnes — Silken Robes — Robert Raymond Reid — Pathos and Humor — His Bar Dinner — Freeman Walker — John P. King — Nicholas Ware — John Forsyth.

AMONG the lawyers of this period, Abraham Baldwin occupies a prominent place. He was born in Connecticut in 1754, graduated at Yale in 1772, was for some time a professor in that renowned college, and served as a chaplain in the Continental army. After the war he studied law and removed to Georgia, and was admitted to the bar in 1784. In 1785 he was sent as a delegate to the Continental Congress and from this time to his death in 1807 was continually in public life. He served in the convention framing the constitution of the United States, and, with William Few, signed that instrument for Georgia. In the Continental Congress he was one of the three commissioners to settle the accounts of the States, and in 1788 we find him offering a resolution, which was adopted, recommending the States to pass laws preventing the transportation of convicted malefactors from foreign countries into the United States, Georgia having passed such an act in 1787. On the organization of the government of the United States, Mr. Baldwin was sent to Congress and served a number of terms. In 1799 he was made United States senator, and remained such till his death in 1807.

John Milledge was the son of John Milledge, one of the original settlers of Georgia, who came over with General Oglethorpe, and was a trusted friend and companion of the founder of Georgia. He was born in Savannah in 1757, and was given the best education the colony afforded, and then placed in the office of the attorney-general to pursue the study of law. Mr. Milledge was an ardent patriot, sided with the colonists from the outset, and was one of the party which made Sir James Wright and Chief Justice Stokes prisoners, thus overturning the king's government. At the siege of Savannah and at the taking of Augusta, Mr. Milledge behaved with great gallantry, and after the war became one of the leading men of the day. From 1802 to 1806 he was Governor of Georgia, and on the termination of his last gubernatorial

term, in the latter year, was on June 19, 1806, elected to the United States Senate to succeed James Jackson, deceased. In 1807 he was re-elected for the full term, but resigned in November, 1809, and died at his residence near Augusta in 1818. In 1802 Governor Milledge was one of the commissioners, James Jackson and Abraham Baldwin being his associates, to negotiate the cession of Georgia's western territory to the United States. He was particularly and especially the friend of the State University, urged the importance of such an institution, and when the State had no land available for a site in a desirable location, purchased a tract himself at a cost of $4,000 and generously donated it to the college. On this land much of Athens is built. In 1808 President Meigs, of the university, wrote Governor Milledge: "Your institution has taken a strong root, and will flourish; and I feel some degree of pride in reflecting that a century hence, when this nascent village shall embosom a thousand of the Georgian youths, pursuing the paths of science, it will now and then be said that you gave this land and I was on the forlorn hope."

Governor Milledge was one of the incorporators of the Protestant Episcopal Society of Augusta, chartered in 1816 by the General Assembly, the incorporators named in the act being John Milledge, John Carter, Valentine Walker, George Walton, Thomas Watkins, Richard Tubman, Edward F. Campbell, Augustin Slaughter, Freeman Walker, Joseph Hutchinson, William M. Cowles, Walter Leigh, John A. Barnes, Milledge Golphin, and Patrick Carnes. The first Episcopal clergyman in Augusta was Rev. Jonathan Copp who labored diligently from 1751 to 1756. In 1758 we find St. Paul's recognized as the parish church in Augusta, and some years after Rev. Samuel Prink was rector. In 1764 he reports Augusta as having 540 whites, 501 slaves, and 90 Indians. In 1767 he was succeeded by Rev. Edward Ellington, who served until 1770. In 1786, after the turmoil of the Revolution was over, a new St. Paul's Church was built on the ruins of the old one burned during the war, and Rev. Mr. Boyd was pastor till about the close of the eighteenth century. After that no Episcopal Church organization was maintained, until the organization of the Protestant Episcopal Society in 1816 as stated. In 1821, the present church was built, and its rectors since have been: Rev. Hugh Smith, 1819–1832; Rev. Edward Eugene Ford, 1832–1862; Rev. William H. Clark, 1862–1877; Rev. Chauncey C. Williams, the present incumbent, having been rector since 1877.

Soon after Governor Milledge's election to the Senate the State capitol was moved from Louisville, in Jefferson county, to a point in Baldwin county, which was named Milledgeville in his honor, and here was the seat of the State government till removed, in 1868, to Atlanta.

Edward Telfair, another governor of Georgia, was contemporary with Governor Milledge. He was born in Scotland in 1735, the year Augusta was

founded, and in 1766 settled in Savannah, where he took a prominent part in the Revolutionary struggle. In February, 1778, he was elected to represent the State in the Continental Congress, the delegation that year being Lyman Hall, George Walton, Joseph Clay, John Walton, Joseph Wood, Edward Langworthy and Edward Telfair. In 1780 he was again elected to Congress; and again in 1781, 1782 and 1885. With John Walton and Edward Langworthy he signed the Articles of Confederation on the part and behalf of the State of Georgia. In 1786 he was elected governor of Georgia, and again in 1790, serving till 1793. During his latter administration President Washington visited Augusta, and was entertained by Governor Telfair. Washington's toast was, "The State of Georgia, and prosperity to Augusta." Telfair county is named after Governor Telfair.

William Harris Crawford, United States senator, minister to France, and twice a cabinet officer, began his career in Augusta. Mr. Crawford was born in Virginia in 1772, and early in life was one of the professors of the Richmond Academy. In 1806 he was elected to the United States Senate in place of Abraham Baldwin, deceased, and re-elected in 1811, but did not fill out this latter term. In 1813 President Madison offered him the appointment of secretary of war, which he declined. He was then appointed minister to France, and on his return in 1815, became secretary of war. In 1816 he was appointed secretary of the treasury by President Madison, and on the coming in of President Monroe's administration, was again appointed to that high office. When President Monroe was re-elected, Mr. Crawford was again appointed to the treasury portfolio, and served till 1825. In 1824 he was voted for, for president, the other candidates being Andrew Jackson, John Quincy Adams, and Henry Clay, and the electoral vote standing: Jackson, ninety-nine; Adams, eighty-four; Crawford, forty-one; and Clay, thirty-seven. In those days the electors of a State did not always vote as a unit, and Mr. Crawford received the following: New York, five; Delaware, two; Maryland, one; Virginia, twenty-four; Georgia, nine; total, forty-one. The whole number of electors at that time was two hundred and sixty-one, and no candidate receiving a majority, the election was thrown into the house, where the vote, by States, stood: Adams, thirteen; Jackson, seven; Crawford, four, thus electing Adams. John C. Calhoun having received one hundred and eighty-two votes in the electoral college, was chosen vice-president. In 1827 Mr. Crawford was elected judge of the Northern Circuit, which office he held until his death in 1834.

The early portion of this illustrious career was enveloped in storms. In Mr. Crawford's early manhood the immense western landed possessions of Georgia made this State a favorite field for speculation. The Yazoo fraud was one episode. Mr. Crawford's duel with Van Allen was another. Mr. Crawford had refused to take a retainer from the land speculators, and fearing his oppo-

sition at the bar, it was generally believed they instigated a fiery young gentleman named Van Allen, of New York, a cousin of President Van Buren, to fasten a personal quarrel upon him. Mr. Crawford accepted the challenge and Van Allen was killed.

Later in life Mr. Crawford became involved in another affair with General John Clark. The general had preferred charges against Judge Tait, Mr. Crawford's fellow professor of the Richmond Academy, and Mr. Crawford then in the Legislature, championed his friend's cause. After a searching inquiry the committee reported the charges unfounded, which report was adopted by fifty-two to four. General Clark was exceedingly restive under this result, and challenged Mr. Crawford. On the field, the general and his seconds are said to have harrassed Mr. Crawford with quibbles and controversies until he lost temper, and when put to the peg, suffered his disengaged arm to hang outside his body, so that General Clarke's ball, which would have otherwise passed harmlessly by, struck his wrist. In person Mr. Crawford was a tall, large, fine looking man of exceedingly imposing personal appearance, so much so that it is said the Emperor Napoleon remarked of him when presented at his court that he was the only man to whom he ever felt constrained to bow. Mr. Crawford was minister when the emperor was compelled to sign the famous abdication at Fontainebleau, and witnessed the entry of the Emperor of Russia and King of Prussia into Paris at the head of 50,000 of the flower of their soldiery. As a lawyer, Mr. Crawford rendered signal service to the jurisprudence of Georgia. In conjunction with Horatio Marbury he compiled, at an early age, "Marbury and Crawford's Digest of Georgia Laws;" and during the entire period he was on the bench, namely, from 1827 to 1834, was chairman of the convention of Superior Court judges, which met annually to consider doubtful and difficult points of law arising in the several circuits, with intent to form a legal standard of interpretation and practice, there then being no Supreme Court. The decisions are to be found in 'Dudley's Georgia Reports." The value of these conventions led not long after to the establishment of the Supreme Court.

Robert Watkins compiled in conjunction with his brother, George, "Watkins' Digest," our oldest digest of Georgia laws, and fought a duel in 1802 with Governor James Jackson, growing out of this work. General James Jackson, as the most active opponent of the Yazoo sale and the author of the Rescinding Act, was elected governor in 1798. In this capacity he rejected the digest of Georgia laws prepared by Robert and George Watkins, on the ground that the compilers had inserted in the volume the Yazoo Act of 1795, in defiance of the Rescinding Act, which declared it never to have been one of the laws of the State. By this means a costly edition was thrown on the hands of the compilers to their pecuniary loss, and with the result of engendering a bitterness of feeling which developed into a hostile meeting some years afterwards between Governor Jackson and Robert Watkins, which was conducted in the highest style

of punctilio. While the seconds were arranging the terms of the combat, the principals conversed "with great elegance and entire politeness" on different matters, so that no one would have imagined they were about presently to cut each other's throats. Then the seconds notified the combatants of the terms agreed on: You are to stand at the distance of ten paces; you are to fire at the word make ready, fire! a snap or a flash is to be counted as a shot, etc., etc. At the first fire both pistols went off into the ground; the second was a blank shot; at the third Governor Jackson fell, shot, *secundem artem*, in the right hip. He insisted on another fire, but the surgeons claimed the right to first examine him; and on their report that the ball might have entered the cavity, hostilities ceased. Mr. Watkin's with great civility, offered his services to bear the wounded man from the field; and, on being carried off, the governor most affably remarked, "D—n it, Watkins, I thought I could give you another shot."

The Carnes were two in number, Thomas P., one of the commissioners who ran the line between North Carolina and Georgia, and judge of the Western Circuit from 1798 to 1803, and again from 1809 to 1813; and Peter Johnston Carnes, attorney-general of the Middle Circuit, from 1799 to 1804. At this time and for years after the bar wore black silk robes, and the sheriff gown and sword.

It has been stated that in 1789 the State was divided into two judicial districts, the eastern and western, Augusta being in the latter. In 1797 three judicial districts were made, called respectively, the Eastern, the Middle and the Western Circuits, Richmond being in the Middle Circuit, and so remaining until the Augusta Circuit, comprising the counties of Burke, Columbia, McDuffie and Richmond, was created in 1870. The judicial history of the Middle Circuit is, therefore, a long one and as brilliant as it is long. Of some of its judges and lawyers we have already spoken, and now resume the narrative. It will be impossible in the limits of this sketch to speak of all eminent in the legal profession at Augusta, and we will therefore select some of the most striking characters. Some few years after Chief Justice Walton, the celebrated Robert Raymond Reid became judge. Mr. Reid was prominent in public life for over a quarter of a century. In 1816, when but twenty-seven years of age, he was elected judge of the Middle Circuit; in 1818 was sent to Congress, and in 1820 re-elected; at the expiration of that term in 1823, he was made mayor of Augusta, and re-elected to that office in 1824; in 1825 was again elected Superior Court judge, and being defeated of a re-election by reason of having been a Clarke man in the contest between him and Troup for the governorship, in the days of "Troup and the Treaty," was made judge of the City Court of Augusta in 1827, and re-elected to that office in 1829. In 1832 President Jackson appointed him judge of the United States for the district of East Florida, and in 1839 he was appointed by President Van Buren governor of Florida, in which

office he died in 1841. This list of honors is sufficient to show what opinion was entertained of his legal abilities, but his literary talents were even greater. Who can read without emotion the beautiful story of his early life and first great sorrow as it appears in his diary. He was sent to a distant school and being a delicate, effeminate boy was roughly used by his stouter companions. Of this period he says:

"I was at last, after acquiring the character of a dull, lazy and unprincipled child taken home. My vices forsook me and my joys returned. Let those who have children take care how they send them forth at an early age to an unfeeling world! I was again with my mother, and again, in reading, writing, —thinking *rapturously*—looking at her benign face, listening to her voice, and imbibing her instructions, I was happy—too happy.

"About a year after I was sent to Savannah to the care of an aunt, and there I was as miserable as before. The boys imposed upon me; my cousins cheated and scorned me; my aunt and uncle neglected and starved me. After some time I returned to my beloved home. I had no reputation for genius except at home. There I *spoke* to the admiration of my parents, and *wrote* both prose and poetry which they esteemed prodigiously fine. I also had a turn for drawing, with which my mother was delighted. After a twelve month passed in my heaven of home I was taken by my father to Augusta. The scene was changed. I met kind hearted boys, indulgent and friendly teachers, and kind friends. Among the first, James McLaws, always my friend, and afterward my brother-in-law; John Powell, a fine lad, the victim of disease too soon. My heart, which had always loved something or other—now a boy, and now a girl—formed a strong attachment to ———; but a stronger one for ———. I never loved any being, except my mother, as well as I did ———. We were at dancing-school together; and though she never acknowledged her affection, and I did not declare my own, we both well knew how dear we were to each other.

"To return, my mother died, and I received the heartrending news at Augusta. Great Father of mercies! what were my sufferings, those who saw my agony alone can tell. I sat sometimes looking at the moon with streaming eyes, remembering the moments we had passed together by moonlight, and recalling all my poor mother's sorrows, her virtues, her voice, and her words. At other times, when all was still around me, and my companions were asleep, I have sobbed upon my pillow and drenched it in tears. My studious habits were abandoned, and an all-absorbing grief possessed me. I determined to leave school; and, opportunity affording, I went home.

"My poor mother's late residence was a desert; but I walked about the garden, through her chamber, sat in her chair, and bewailed her with a grief most poignant. O! my beloved parent, dost thou inhabit other regions, and can it be that thou forgettest thy erring and unhappy and still helpless son?

On thy death bed thou didst caress a little butterfly, fancying that my spirit had taken a favorite and lovely form to commune with thine in its darkest hour; and now I sometimes think when a butterfly comes to me fluttering around the candle at which I read, settling on my sleeve, or crosses my evening walk, that thou has not forgot, but art still near me. O, loved long and ever, if my thoughts can be known to thee, and if thou hast power to assist me, yield me thine aid; take sometimes the place of my guardian spirit, and be ever near me; and, oh, implore thy God and my God to forgive my follies and to grant me strength to bear up against the ills of life, and to overcome the envy and malice of my enemies."

In enforcing on his grand juries the necessity of maintaining the laws Judge Reid's literary turn did him good service. In one of the counties of his circuit the disgusting vice of drunkenness was exceedingly prevalent, and after stating this county was particularly afflicted in one respect, the judge said: "Need I tell you in plainer language it is drunkenness of which I speak? Man is at best but the creature of frailty. The violence of passion agitates the human mind with continual tumult, and the voice of reason, like the cries of the shipwrecked mariner, is heard only in the pauses of the storm. But when a depraved appetite delivers its miserable victim to the influence of intemperance, it is then that reason is overwhelmed, pride forgets its consequence, intellect relinquishes its rich treasures, and that form which bore the impression and seal of divinity is changed into a bloated monster, with feelings and propensities at once bestial and disgusting. Many persons vainly imagine that infractions of the laws are venial when committed in a state of intoxication, and they sophistically argue that, laboring under a species of madness, they are driven to atrocities from which, in their moments of sobriety and self-collection they would start with abhorrence. But the plea will not avail. This hideous vice conceals none of its deformities. It is true the brimming goblet may sparkle in the hand of pleasure, but beneath its transparent wave is seen the dark and deep and deadly poison. Roses may crown the cup, but they are cankered by tears of remorse and sorrow and disappointment. The unhappy being who ventures to slake his thirst knows at the moment the perils which await him. He has before witnessed its horrible effects. He has seen the fond father become the hater of his offspring, the tender husband transformed to the inveterate tyrant, the faithful friend to the bitter enemy, the pride of society to the object of common scorn, and yet he will not abstain, yet will he swallow down the infuriating draught which shall make him the jest of the vulgar, the scoff of his foes, and the regret of his friends—which shall lift his arm against every man, and every man's hand against him. Let him then receive the consequences of his temerity; he has courted them with his eyes open. The law rejects his claim to its lenity, and intemperance adds a blacker shade to the enormities which it produces."

The grand jury were profoundly impressed with this ornate, and yet forcible, exposition of the legal doctrine that voluntary drunkenness is no excuse for crime; thanked the judge "for his determined support of good order;" requested the charge should be published, and called on the Legislature to grant no licenses to retail liquors except to inns, in small quantities, for travelers and strangers.

Judge Reid's pen could turn to humorous as well as serious thought. On assuming his position on the United States bench in Florida he found a very different class of lawyers from that to which he had been accustomed at home. One writer says: "The bar of the Middle Circuit always maintained a high character for abilities and courtesy. Its members fostered a lofty social bearing, neither oppressive by cold dignity, nor yet so free as to encourage rude familiarity. It was the happy medium which secured respect and business on terms compatible with true fame. Of this school Judge Reid was a loyal disciple." The Florida bar, as was perhaps natural in a territory newly opened, was of rougher mould, and the judge thus limns one of them:

"Getting on in court pretty well; only one skirmish, and that with one of the bar, whose temper and habits and manner unfit him for social life. What shall we think of one whose literary attainments are not inconsiderable, whose physical and mental powers are, perhaps, extraordinary, whose industry and energy are vigorous and indefatigable, and yet whose love of self and ambition are unbounded, who is impatient of all restraint, suspicious, angry, and revengeful, with a spice of magnanimity and a gloss of good breeding, to which may be added violent passions, irritable feelings, and unbounded craft? All these qualities belong to ———, and make him a strange, lofty and repulsive character. When we look to his gigantic stature, lofty brow, the deep furrows of passion around his eyes and on his cheeks, his surly mouth, formed not even for sneers, but full of bitterness, rank bitterness; and lastly his black eyes, in which you look as into deep and dark fountains of sin and remorse; eyes which may be characterized by the word 'luciferian,' more than any other, we behold a being from whom we must stand apart, who can have no sympathy with us, and who, if we approach too near him, will certainly do us harm."

The bar of which this extraordinary character was a member gave the judge a specimen of its breeding by inviting him to a curious banquet, which he calls a "feast of shells." In a letter informing him that the gentlemen of the long robe thought very well of him, he was invited to a public dinner in his honor. No place was mentioned, and after waiting in expectation of an escort till the hour named, the judge sallied forth alone, having previously prepared a speech "to be delivered after the removal of the cloth, and in which everything that could be agreeable to the bar was carefully infused. 'As they treat me,' thought I, 'why should I not treat them in return?' As well as I remember 'twas a pretty good speech, with several clever flights." After wan-

dering about awhile the judge arrived at a house where it was understood the banquet was to be given, and reconnoitered his way into the parlor. There was no table therein, and but three chairs. Thinking there was some mistake, he was about to beat a retreat when a gentleman of the bar entered and somewhat restored the judicial equanimity by his cordiality. "Said I, 'the hour mentioned in my invitation has passed, so I thought I would come round; but I fear I'm too early.' 'No,' he coldly replied,' but the dinner is too late.' 'Well,' said I, 'I'll return home, and come back again.' 'Well, perhaps,' said he 'it might be as well and better than to stay here alone.' So I was preparing to abscond, when in came a few gentlemen, and other chairs being brought, we seated ourselves in a piazza, and a conversation commenced, during which some one or two other gentlemen dropped in. 'This,' said I to myself, 'is not a very promising beginning, but who knows how well it may end?' So we talked of the heat of the weather, alligators, the Greek pun for laughter, etc., etc., when Messrs. ——— made their appearance and invited us up to dinner. The dinner was plentiful—ham, poultry, ducks, a half turtle soup—everything rough and coarse. Judge ——— at the head, and Mr. ——— at the tail, and the guests few and far between, and vacant chairs scattered from right to left. But few words were said. All seemed wrapped in their own gloomy thoughts. 'I wish,' said I to myself, 'I had been in Guinea before I accepted this invitation. Here is evidently something wrong." At length wine was introduced, and the judge began to look for better hours, but worse ensued. "This," said a commissary's man, "is the gift of our friend, Mr. ——, who left us this morning in the *Agnes* for Charleston. 'Come, gentlemen, 'fill your glasses,' said the president. 'Now,' thought I, 'he'll drink my health, and how shall I demean myself so as to be neither civil nor offensive?' I resolved at once. 'The health,' said the president, 'of our absent friend, Mr. ——' (the donor of the wine) I drank a bumper. By this time Mr. —— (the champaign having been introduced), got drunk, and he, after some coarse and maudlin prelectives, called on the president for a toast. The president declined, and begged the bewildered —— to get the toast from the other end of the table. —— consented, and halloed for a toast from Mr. ——, who insisted he would not give one, and the president should. Then the president, looking for a moment like a thunder-storm, but, turning to me, said, 'If I give a toast, you'll not get under the table?' 'Oh, no!' said I, good humoredly, 'I'll stick to you at all events!' Then they filled, and the president, in a hurried manner, said, 'I'll give you our excellent friend and guest, the Hon. Robert Raymond Reid, the excellent judge of, etc., etc.' They drank their wine. 'Now,' said I, 'if you will be pleased to fill your glasses, I'll give you a toast.' They filled. 'The hospitable and excellent citizens of St. Augustine.' They looked surprised. Toasts went on. One drank the judiciary, another the chief justice, another the memory of Julius Cæsar, another the

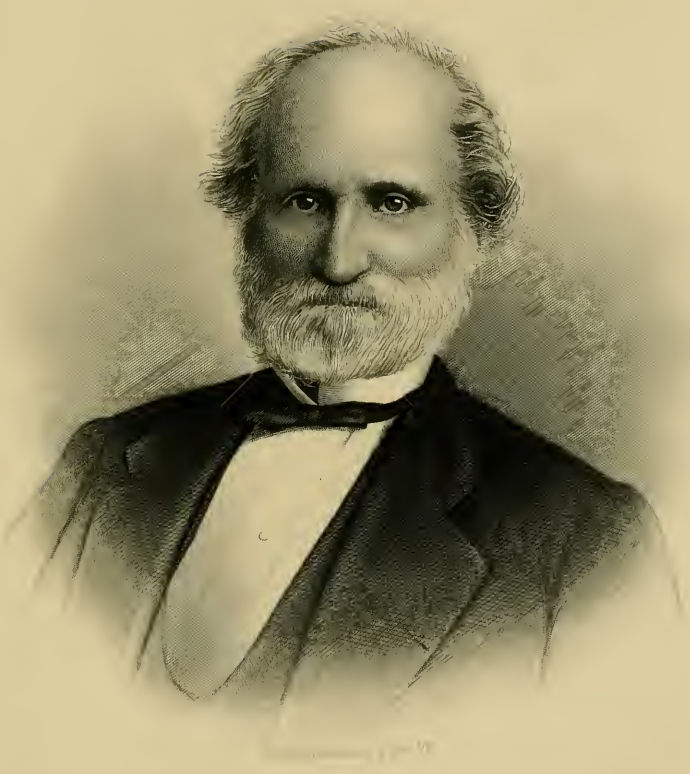
memory of Noah, the drunken lawyer gave 'the memory of our departed friends,' and moreover he sung 'The Old Jackdaw and the Young Jackdaw,' and swore he liked no courts because they always made d—d rascally decisions against him.

"Thus flew the hours, and at length I escaped, leaving my brethren of the bar and guests, president, vice-president and all, scarcely less sorrowful or sober (except ——) after emptying half a dozen of champagne than when the happy festival commenced. For my own part I never knew a compliment press so closely on the confines of insult. Why did I accept that invitation? 'Twas a false step. I went home and burned the notes of my speech."

The judge was a great admirer of Andrew Jackson, but hardly able to endorse all the eccentric movements of that hero when president. "He frocks and unfrocks at pleasure, but he is a magnificent fellow, and the best constitutional president since the days of Jefferson, who was himself not sinless." Then he tells a story of old Hickory's taste in music, as related by Governor Duval. "I was," said he, "at the White House one evening, and there were Mrs. D. and Mrs. J., and a half dozen others, dressed up in the first style *a la Parisienne*, and there were sofas and ottomans, and musical instruments, and lights, all of which, with the company, made a pretty picture. I had been invited to spend a sociable evening, and the ladies and the music made my heart throb as I entered the saloon, for, old as I am, I love both. Very soon I was asked if I would not approach a group, and listen to the splendid performance of a young gentleman just returned from Italy, and who played divinely. I left the side of the general, who was smoking in his large arm chair, and beheld, surrounded by beauty and fashion, a young man who sat on a low stool with a guitar across his lap. 'Good heavens,' thought I, 'Can the spirit of harmony reside in such a temple?' He had a huge head, on the front of which his hair had been brushed in three ways, to the right, to the left, and in front, and then purposely, some confusion had been imparted to it. The hinder part had been closely cut. His neck was enveloped in a stock which closely compressed it, leaving two little points of shirt collar projecting under his chin. He wore large whiskers, innumerable chains and shirt buttons, was tightly laced, and bent forward in such a way as to give him, in his close habit, a monkey-like aspect. After some preluding, the creature opened his mouth and sung—no, that is not the word—he squalled, worked his eyes and heaved his breast, now sinking into a whisper, and now squealing so loud you might have heard him at the capitol. Never did I hear such horrible noises. But after a while I was relieved by the conclusion of the strain, when all pronounced it exquisite—an admirable Italian sonnet. I went back to the president. 'Well, governor,' said he, 'don't you like the music?' 'General,' said I, 'its d—d stuff, between you and me. Come here, Tommy Blount. And now let me have leave to make this lad from the wilds of Tennessee, sing 'Blue Bonnets on the Border.'

'Certainly,' said the general, and Tommy, without any affectation, began to sing. In a moment, such was the force of his melody that the ladies and their sparks flocked around him. Their eyes glistened with pleasure and feeling; there was not the rustling of a ribbon to be heard. Tom's fine tones filled the spacious room, and made their way to all hearts except the youngster from his Italian travels. When the music was done, all were warmly expressing their pleasure. I looked round for Monsieur Squallini, and there he sat on the little stool, the lonesomest man I ever saw in my life. 'General,' says I, 'that's the sort of music for me.' 'Yes, governor,' said the president, 'that's the music that makes the goose flesh come, and nothing could be better except Washington's march upon the drum and fife.' "

Freeman Walker was one of the most distinguished lawyers of his day. He was born October 25, 1780, in Virginia, and when seventeen years old came to Augusta and studied law with his brother, George Walker, then a leading member of the bar. In 1802 he began practice, and soon rose to eminence, being equally distinguished for solid learning and bright and ready wit. In 1807 he was sent to the Legislature from Richmond county, and in 1817 chosen mayor of Augusta by the city council, which then elected, and re-elected in 1818 and 1819. In the latter part of that year he was elected to the United States Senate, and resigned the mayoralty on December 8, 1819, in order to take his seat in that august body, succeeding the celebrated John Forsyth. In 1821 Major Walker resigned his seat in the Senate, and in the next year was, for the fourth time, elected mayor of Augusta. The portrait of this distinguished and witty advocate hangs in the mayor's office, and represents him as a strikingly handsome man, with an air of quiet dignity through which lurks in his bright eye the spirit of merriment and humor. As has been elsewhere stated, he is believed to be the Freeman Lazenby of one of Judge Longstreet's laughable "Georgia Scenes," and by his genial manners made hosts of friends. While somewhat quick in temper, he was ready to see the laughable side of a serious matter, as is amply evidenced by his encounter with the famous Judge Dooly, so celebrated for his wit and humor. While on circuit once, the bar supper waxed uproarious. The fun grew fast and furious, and in those days when the wine flew freely hard rubs were given and received. Judge Dooley was in more than ordinary spirits, and jested so long and roughly with Major Walker, that the latter's equanimity finally gave way, and catching up a chair he advanced on his tormentor. The judge seized a large carving knife, and affairs looked serious. Several gentlemen seized the judge, and but one caught hold of Major Walker. With a comical look the judge cried out, "Gentlemen, one of you will be sufficient to prevent *me* from doing mischief; the rest of you had better hold Major Walker!" The laugh which followed restored the era of good feeling, and the fun and frolic went on as before. Major Walker died at the age of forty-seven, and the opinion of his contemporaries is expressed



in his epitaph as written by his friend, Richard Henry Wilde, author of that beautiful poem, "My life is like the summer rose."

"Consecrated
to the cherished memory and mortal relics
of
FREEMAN WALKER,
an able and successful advocate,
a graceful and fluent speaker.
His influence as a statesman, his reputation as an orator, and
his urbanity as a gentleman, were embellished and endeared
by
social and domestic virtues.
Long a distinguished member of the bar.
Often elected to the Legislature of the State,
he at length became
one of her senators in Congress,
and retired after two years of honorable service,
to resume a profitable profession,
which he practiced with untiring industry, and
unblemished character, until shortly before his death.
Generous, hospitable, and humane,
of cheerful temper and familiar manner,
he was idolized by his family,
beloved by his friends,
and
admired by his countrymen.
Even party spirit in his favor
forgot something of its bitterness, and those
who differed from the politician,
did justice to the man.
Born in Virginia, in October, 1780,
His brilliant and useful life
was terminated by a pulmonary complaint
on the 23d day of September, 1827,
in the 47th year of his age."

Walker county is named after Major Freeman Walker.

John P. King was another celebrated lawyer of the time. Mr. King was born in Kentucky, but at an early age made Georgia his home, and adopted the law as a profession in Augusta. In 1832 he was made judge of the City Court of Augusta, succeeding Hon. Robert Raymond Reid, who had been appointed United States judge in Florida. In 1833 Mr. King was appointed to the United States Senate in the place of Governor Troup, resigned, and in 1835 was elected by the Legislature, but resigned in 1837. On his return to Augusta Judge King seemed to foresee the enormous development of the railway system, and, abandoning the practice of his profession, turned his attention to railroad affairs. He was prominent in creating the Georgia Railroad;

was for very many years president of that company, one of the oldest, most useful and most substantial in the United States, and may be justly termed the father of the road. Judge King died in Augusta in 1887 at a very advanced age, being at the time of his demise the oldest United States senator surviving.

Nicholas Ware was also an Augusta lawyer of the old school. He was born in Virginia in 1776, studied law in Augusta, then attended the famous Gould Law School at Litchfield, Conn., and on his return began practice in this city. When Major Freeman Walker resigned the mayoralty of Augusta to take his seat in the United States Senate, Mr. Ware was elected in his place and re-elected in 1820, and again in 1821. In the latter part of 1821 he resigned in order to enter the United States Senate, where he died in 1824. Mr. Ware was a strong friend of the Richmond Academy and distinguished for his literary tastes. Ware county is named after him.

One of the most celebrated lawyers of Augusta was John Forsyth. He was born in Virginia in 1781, and four years afterwards his father, an officer of the Revolution, removed to Augusta. Here the elder Forsyth was made United States Marshal, and in the enforcement of the law, lost his life. About 1795 a *ca. sa* issued out of the United States Court for the arrest of one Beverly Allen, a preacher from Wilkes county. Allen barricaded himself in a storehouse in Augusta, and when the marshal forced the door, shot him dead. The grave of marshal Forsyth is to be seen in St. Paul's churchyard, with an inscription laudatory of his services in the Revolution, and his unflinching courage in the execution of duty. On the tomb is also graven the insignia of the Order of the Cincinnati.

John Forsyth studied law in Augusta with Mr. Noel, and was admitted in 1802, when just of age. From 1808 to 1811 he was attorney general of the Middle Circuit, from 1812 to 1818 was member of Congress, in 1818 was elected to the United States Senate, but in 1819 resigned in order to accept the position of United States minister to Spain. There he remained four years, and satisfactorily adjusted all the delicate questions growing out of the cession of Florida to the United States. In 1823, while still in Spain, he was re-elected to Congress, and returned at each succeeding election till he resigned in 1827 and was elected governor of Georgia. As governor Mr. Forsyth gave great attention to the amendment of the law. He urged the codification of the laws and the creation of a Supreme Court, which latter reform was adopted in 1845, and the former in 1860. At the end of his gubernatorial term, in 1829, Mr. Forsyth was again sent to the United States, succeeding the celebrated John McPherson Berrien, of Savannah, and became the champion of President Jackson, in that body. In 1831 he was elected for the full term of six years. He stood by General Jackson manfully in the nullification issue, the bank question, and other exciting controversies of that time, and in 1834 became secretary of State, and for seven years was the head of the cabinet, holding during the

second term of President Jackson and during the presidency of his successor, Martin Van Buren. In March, 1841, General Harrison became president, and appointed Daniel Webster secretary of State. In the fall of that year Mr. Forsyth died. One of the last objects to which he devoted his attention when secretary of State was the annexation of Texas, and while he did not live to see it accomplished, his efforts paved the way for that consummation a few years later. Mr. Forsyth is said to have been a model of manly beauty, and to have possessed a voice as clear as a silver clarion. His abilities as a diplomatist and a debater were so evenly balanced that it is difficult to say in which he excelled.

CHAPTER XXII.

BENCH AND BAR, CONCLUDED.

Eminent Lawyers of Augusta, Continued — Richard Henry Wilde — "My Life is Like the Summer Rose" — George W. Crawford — Charles J. Jenkins — Ebenezer Starnes — Andrew J. Miller — William T. Gould — Henry H. Cumming — Governor William Schley — Judge John Shly — Judge Holt — Herschel V. Johnson — Court Roll of Judges from 1776 — Solicitors-General from 1796 — City Court of Augusta — Origin and History — Court Roll.

RICHARD HENRY WILDE was a most eminent lawyer, and, what is remarkable, as great in the civil law courts of Louisiana, where he practiced in the latter years of his life, as in the common law. Mr. Wilde was born in Dublin, September 24, 1789, and was reared from his thirteenth year in Augusta, where his widowed mother, by heroic efforts, supported a large family. Mr. Wilde aided her all his tender age and extremely delicate health permitted, and in the meanwhile read law incessantly by himself, being too poor to pay the fee then usual for instruction in a practitioner's office. Fearful he could not stand an examination, and dreading a failure at home, he made application in Greene Superior Court, then presided over by Judge Early, a rigid martinet, and more severe even than usual at the spectacle of a student applying for admission away from his own home. But a three days' examination failed to shake young Wilde, and he was triumphantly admitted. His success at the bar was immediate. In 1815 he was elected to Congress, again in 1825, in 1828, and from that time continuously till 1835. He then sailed for Europe and remained abroad till 1842, writing two learned works on the great Italian poets, Dante and Tasso. In 1842 he returned home, but shortly afterwards removed to New Orleans, where he took rank at once with the then leaders of the civil law, Prentiss, Benjamin, Soule, and others. In 1847 he

died in that city of yellow fever. During his professional career Mr. Wilde was frequently engaged before the Supreme Court of the United States, but his fame as a lawyer makes him less known than one beautiful poem which met Byron's applause, and has been, by unanimous consent of the world of letters, acknowledged to be an unapproachable gem. It was written in 1820, and for some time there was a controversy as to whether it were original or a plagiarism from the Greek poet, Alcæus. The facts are that after "My Life is Like the Summer Rose" was written by Mr. Wilde, Mr. Barclay, then British consul at Savannah, and a man of letters, translated it into Greek for the amusement of himself and friends, and this translation coming under the observation of some critic, was compared by him with the poem, with the result that Mr. Wilde was accused of plagiarism. Several eminent Greek scholars pronounced Mr. Barclay's translation not Greek poetry at all, but prose, and modern Greek prose at that; and declared that no fragments of Alcæus were extant at all resembling the poem. Mr. Barclay was much distressed at the use made of his translation, intended as it was solely for the private entertainment of himself and friends, and wrote Mr. Wilde a letter in which he stated that it was beyond question he was the author of the beautiful lines in controversy. The poem we here subjoin:

MY LIFE IS LIKE THE SUMMER ROSE.

My life is like the summer rose,
That opens to the morning sky,
And, ere the shades of evening close,
Is scattered on the ground to die.

Yet on that rose's humble bed
The softest dews of night are shed,
As though she wept such waste to see;
But none shall drop a tear for me!

My life is like the autumn leaf,
Which trembles in the moon's pale ray;
Its hold is frail, its date is brief,
Restless,—and soon to pass away:

Yet when that leaf shall fall and fade,
The parent tree will mourn its shade,
The wind bemoan the leafless tree;
But none shall breathe a sigh for me.

My life is like the print which feet
Have left on Tampa's desert strand:
Soon as the rising tide shall beat,
Their trace will vanish from the sand:

Yet, as if grieving to efface
All vestige of the human race,
On that lone shore loud moans the sea;
But none shall thus lament for me.

George W. Crawford was born in Columbia, formerly Richmond, county, December 22, 1798, and after graduating at Princeton, in 1820, began the study of the law in the office of Hon. Richard Henry Wilde, in Augusta. In 1822 he was admitted and at once established a fine practice. In March, 1827, he was appointed attorney-general of the Middle Circuit, and in November of that year elected for the full term and re-elected in 1828, serving until the fall of 1831, when he was succeeded by Charles J. Jenkins. In 1837 he was sent to the State Legislature and returned at each succeeding election, save one, till 1842. In that year he was sent to Congress, but in 1843 was elected governor. In 1845 he was again elected governor. His administration of this office was remarkable for the re-establishment of the credit of the State, which had become seriously impaired. The confidence of the banks and financiers of the State in Governor Crawford had much to do with this result, and the governor's confidence in the success of his own plans—for which he pledged his own means to the extent of $150,000—had equally as good an effect. The bonds of the State were brought to par, and its monetary affairs happily rehabilitated. In 1849 President Taylor appointed Mr. Crawford secretary of war, but on the death of the president he resigned and retired to private life.

Charles Jones Jenkins was born in South Carolina in 1805, and educated at Union College, Schenectady, N. Y., under that famous preceptor, Rev. Eliphalet Nott. Graduating in 1824, Mr. Jenkins began the practice of law in Augusta, and in 1831 was elected attorney-general of the Middle Circuit, retaining that position till 1834, being succeeded by that able jurist, Ebenezer Starnes. He served many terms in the Legislature from Richmond county, and was several times speaker of the House. In August, 1860, he became one of the judges of the Supreme Court of Georgia, and remained on that bench till the fall of 1865, when he was elected governor. Troubled days shortly ensued. In March, 1867, the State government was declared illegal by Congress and the State placed under military rule. Governor Jenkins resolutely refused to surrender his chair to General Ruger, who had been appointed military governor, until uniformed force would be employed, when, stating that he was powerless to resist, he left the capitol. The key of the treasury and the great seal of the State he refused to give up under any circumstances, and carried them off with him. Determined to sustain the civil power, if possible, he filed a bill in the Supreme Court of the United States, in the name of the State of Georgia, to enjoin the execution of the reconstruction acts on the ground that Congress could not constitutionally prostrate a State under military rule. The Supreme Court held that this was a political question over which it had no jurisdiction. On the restoration of the State government, in 1870, the Legislature adopted the following resolution:

Resolved, That his excellency, the governor, be authorized and instructed

to have prepared, and, in the name of the people of Georgia, to present to Hon. Charles J. Jenkins, a seal to be the fac-simile of the one preserved and restored by him, except that, in addition to other devices, it shall have this inscription: "Presented to Charles J. Jenkins by the State of Georgia," and this legend, "*in arduis fidelis.*"

In 1877 Governor Jenkins was elected a delegate to the Constitutional Convention held that year, and was made president of the body. He died in 1883, bearing the name of "noblest Roman of them all."

Ebenezer Starnes was a sound and eminent jurist. In 1834 he was appointed attorney-general of the Middle Circuit, and was subsequently elected to the same position by the Legislature, and performed its duties till the fall of 1840.

In November, 1849, Mr. Starnes was elected judge of the Middle Circuit, and in February, 1853, while still on the bench, was appointed to the Supreme Court, vice Judge Warner resigned. At its next session the Legislature elected him judge of the Supreme Court for six years, but he resigned at the close of 1855. From the establishment of the Supreme Court of Georgia up to the time Judge Starnes left the Superior Court bench, there were many reversals of the judgments below, the proportion being forty-eight per cent., but out of thirty-eight Superior Court judges, Judge Starnes was the most generally sustained, but seventeen per cent. of his decisions being reversed. Judge Starnes was of a grave and dignified demeanor, a lawyer of ripe learning, and a man of kind heart We remember that he prided himself on being descended from Lawrence Sterne, the famous English writer, and once mentioned that the family crest was a starling, a bird which is the subject of one of Sterne's most beautiful passages.

Andrew J. Miller was a distinguished contemporary of Wilde, Crawford, Jenkins, and Starnes. Mr. Miller was born in Camden county, Georgia, in 1806, and at the age of sixteen was entered a cadet at the West Point Military Academy. His tastes lay in another direction and he soon returned home and began the study of law. When but nineteen he was authorized to be admitted to the bar by a special act of the General Assembly, and in 1825 entered on the practice of his profession. Mr. Miller verified the observation that labor is genius He devoted himself to a careful study and preparation of his cases; was always prompt and ready, and soon stood at the front of the bar. In 1836 he was elected a member of the House of Representatives, and in 1837 was sent to the State Senate, and continued to be a member of that body until his death in 1856. He was twice president of the Senate, and even when not in the chair was the recognized arbiter in all questions of parliamentary procedure and law. He aided very greatly in projecting and accomplishing the Western and Atlantic or State road, and during his entire legislative life labored zealously in favor of the passage of a law reserving to a

married woman the title to her property. Rules of law in vogue for centuries do not readily yield, and Mr. Miller passed away without carrying his favorite measure, but in 1866 it became law, and has now become a principle imbedded in the State constitution. In one of the many eulogies pronounced over Mr. Miller on his untimely demise, was one which especially referred to this fact. In the House of Representatives Mr. Thornton, of Muscogee, said: "He was, sir, the friend of woman, and I am glad that they, by their presence to-day, sanction the last act of respect paid to his name. He was the first who raised his arm and his voice to battle for woman's rights. For eighteen years he fought for the widow and her daughters, and he never would have ceased his efforts until he had carried his bill for the protection of their property. They should build him a monument to commemorate his exertions in their behalf. He was their friend and advocate."

Mr. Miller was at the time of his death a member of the State Senate, city attorney of Augusta, and president of the Medical College of Georgia. The Legislature sent a special committee to his obsequies, created a new county—Miller—in his honor, and ordered a monument to be erected to him.

William T. Gould was at the time of his death in 1882, the Nestor of the Augusta bar. He was the son of the celebrated jurist, William Gould, whose law school at Litchfield, Conn., was in its time the most famous seat of legal learning in the United States, and was in point of legal attainments a worthy scion of such a stock. Judge Gould cared nothing for political preferment, but at the bar was for more than half a century a central figure. He was for many years attorney of the Georgia Railroad, and for most of the time from 1851 to 1876, was judge of the City Court of Augusta. He survived to an extreme old age, but retained his intellectual faculties unimpaired almost to the very last. There was none of the uncertainty or forgetfulness of the ordinary old man. During his active life the judge was a devoted Mason, and almost at the close of his career, when unable to leave his chamber, a litigation involving the title of the Masonic Hall arose. The minutes of the order gave some information on a vital point, but in such a concise ambiguous way as not to be of much value. One of the counsel in the case requested us to accompany him on a visit to the judge to seek information as to the facts. As soon as the matter was stated, and before the minutes had been shown him to refresh his memory, the veteran lawyer in a surprisingly terse, clear way, recounted all that had occurred at the meeting of half a century before. There was not a moment's pause or hesitation. It was a wonderful exhibition of the strength of human memory in the extremity of age.

Colonel Henry H. Cumming may be regarded as the father of the Augusta canal. He seems to have studied the subject of how to utilize the vast water power of the Savannah River for years, and never rested until, triumphing over all obstacles, he saw the water finally turned in. At the time this enterprise

was projected it was asserted that the city council possessed no legal authority to undertake such works, nor could the Legislature confer such power, but Colonel Cumming's legal opinion to the contrary was sustained by the Supreme Court of the State which held that the charter conferred the power, but if not the General Assembly had granted such authority, and was fully empowered by the constitution of the State so to do.

Governor William Schley belonged to a judicial family. He was himself judge of the Superior Courts of the Middle Circuit, his brother, John Schley, sat upon the same bench, and his nephew, William, John Schley's son, was judge of the Superior Courts of the Eastern Circuit. Governor Schley was born in Maryland in 1786, was educated in Augusta, and came to the bar in 1812. In 1825 he was elected judge of the Middle Circuit and served till 1828. In 1830 he was sent to the Legislature from Richmond county, and in 1832 was elected to Congress, and re-elected in 1834. In 1835 he was elected governor, and was untiring in his efforts to build the Western and Atlantic Railroad, and had finally the satisfaction of signing the bill ordering that important public work. It will have been noticed in this review that several of the prominent lawyers of Augusta had a strong *penchant* for developing industrial enterprises, and the Schleys were particularly notable this way. After a long public career Governor Schley developed a taste for cotton manufacturing, greatly to the surprise of his friends and of himself as well. When asked to explain this the governor humorously replied he knew not how he had become so tied up with cogs, and spindles, and motive power. At one time he said he was so disgusted with his brother John's devotion to mechanics that he could not abide a wheel on his plantation, even if it were only a wheelbarrow, but of a sudden found himself immersed in cotton factories. Governor Schley projected and at one time owned Richmond Factory, a cotton manufacturing establishment on the waters of Spirit Creek, still in operation. While late in entering the industrial field Governor Schley won victories there as elsewhere, his factory for a number of years paying a regular dividend of sixteen per cent. The governor also requited the debt which every lawyer owes his profession by the compilation of Schley's "Digest of English Statutes" of force in Georgia, a work of erudition and value. Schley county is named after Governor William Schley.

John Schley, or Shly, as he spelled his name, started in life as a coachmaker at Louisville, then the capital of Georgia. At that time supplies were painfully wagoned up from Savannah, a distance of one hundred miles, and to obviate this tedious and expensive method of transportation Mr. Schley turned his attention to the improvement of the Ogeechee River and was foremost in urging the construction of the canal connecting that river and the Savannah. Till the rise of the railway system the method of transportation thus devised was of immense value. Mr. Shly also claims the honor of operating the first

cotton manufactory in Georgia. It was a primitive affair, run by horse-power, but did good work in its way. About 1830 Mr. Shly removed to Richmond county, and established on Butler's Creek a cotton-mill, Belleview Factory, which was the pioneer in that field, its success leading to the establishment of Richmond factory by Governor Schley, and, in time, to the construction of the Augusta canal and the rise of the great mill industry of Augusta.

While busied with industrial matters, Mr. Shly found time to study law, and in 1834 became judge of the Middle Circuit. In 1838 he was re-elected, and again in 1841, serving eleven years. Judge Shly gave close attention to the cases argued before him, and in one instance summarily removed an obstacle to his giving that attentive consideration to counsel he desired. One day an eminent lawyer from South Carolina was arguing a knotty point before him with great ability and learning. The bar, partly from courtesy and partly from the excellence of the argument, were paying strict attention to their Carolina brother, and the bench was evidently much impressed. Not less interested was the veteran clerk of the court, whose desk was just below that of the judge. From long attendance Mr. Clerk had become a pretty fair judge of a legal argument himself, and on this important occasion had sharpened his faculties by copious potations. As the argument waxed warm he could not retain his seat, and rising little by little, finally stood bolt upright between judge and lawyer. Absorbed in his argument the jurist went on, but the judge was not so oblivious of the obstruction which blocked his view. A sharp reprimand from the bench dropped the clerk into his seat as if shot, but in a few minutes he was bolt upright again, and wavering from side to side. For a few minutes the judge kept time with the oscillations, vainly trying to keep from behind the form, first on this side and then on that. Losing patience he siezed the court docket with both hands and, rising in the stirrups, came down on the muddled pate before him with a vigor which dropped Mr. Clerk at lightning speed into his seat. "Now, d—— you," said the court beneath his breath, "I think you'll stay down"; then, turning to the astonished counsel, calmly added with great courtesy. "Proceed, Brother ———, I think we need apprehend no further interruption."

Judge Shly's reason for changing the spelling of his name was that, as originally written, it was abominably miscalled. His letters and papers would come as Schooly, and Scully and Sleigh and Slack and in a dozen other wrong ways, until in despair he hit upon Shly as a combination which no human ingenuity could pervert.

Judge William W. Holt was another celebrated jurist of the olden time. He succeeded Judge Reid as mayor of Augusta in 1825, and was re-elected in 1826; and for a time represented Richmond county in the Legislature, but his tastes turned to the law, and he is mainly remembered for his long and honorable career on the bench. In 1828 he was elected judge of the Middle

Circuit, succeeding Governor Schley, and served till 1834, when he was succeeded by Judge John Shly. In January, 1847, he was appointed by Governor Towns to fill a vacancy, and in November following elected by the Legislature for the full term, serving this time till November, 1849. In August, 1853, he was appointed by Governor Cobb to fill out the unexpired term of Judge Starnes, appointed to the Supreme Court, and in November of that year was elected by the Legislature for still another full term; and from that time forward was regularly re-elected term after term till 1863. The length of this service and the frequency of executive appointment and legislative election is the best evidence of Judge Holt's legal ability. The Supreme Court of Georgia was established in 1845, and during the early portion of its history the decisions of the circuit judges were very frequently reversed, the proportion of reversals being about forty-eight per cent., this being probably due to the fact that there had been no common standard on many legal points during the time when each Superior Court judge was supreme in his own circuit. As has been stated, Judge Ebenezer Starnes had the least number of judgments reversed, and next to him came Judge Holt. The memory of Judge Holt has lingered long at the bar and among the people. One portrait of him hangs in the mayor's office in Augusta; another side by side with that of John Macpherson Berneir, the great advocate of Savannah, on the walls of Burke Superior Court.

Herschel V. Johnson, twice governor of Georgia, was born in Burke county, Ga., on the 18th of September, 1812. In 1834 he graduated at the University of Georgia, and in the same year entered on the practice of the law in the city of Augusta, having, with the vigor and determination characteristic of the man, pursued his collegiate and legal studies simultaneously. In 1839 he removed from Richmond to Jefferson county, and soon rose into public prominence. In 1843 he was nominated for Congress, but was defeated with the whole Democratic ticket. The next year, in the famous presidential contest between James K. Polk and Henry Clay, he was Democratic elector for the then seventh district. In 1845, and again in 1847, he was strongly supported for governor in the Democratic State Nominating Convention, but on both occasions withdrew his name. In 1848 Hon. Walter T. Colquitt having resigned from the United States Senate, Governor Towns appointed Mr. Johnson to fill the vacancy; and during the long and excited senatorial session of that year he attracted great attention by the solidity and brilliance of his talents, John C. Calhoun declaring him the ablest man of his age in the Senate. In 1849 Governor Johnson was elected judge of the Superior Courts of the Ocmulgee Circuit, which position he retained till nominated in 1853 as the Democratic candidate for governor. His opponent in this contest was that other distinguished Georgian, Hon. Charles J Jenkins, and after a singularly close vote (Johnson 47,638, Jenkins 47,128,) the subject of our sketch became chief magistrate of Georgia. In 1855 he was re-elected governor by a vote of 53,478 to 43,228

for Hon. Garnett Andrews. In 1860 Governor Johnson ran as vice-president on the Stephen A. Douglas ticket, and in 1861 was a delegate to the secession convention, and cast his vote with the minority of eighty-nine against the majority of two hundred and eight that adopted the memorable measure of January 19, 1861: "An ordinance to dissolve the union between the State of Georgia and other States united with her under a compact of government entitled 'The Constitution of the United States of America.'"

In 1865 Governor Johnson was president of the constitutional convention called under the reconstruction scheme of President Johnson to rehabilitate the State, and, under the fond persuasion that the labors of the body would be effectual to that end, in adjourning the convention *sine die*, addressed it in language which cannot be read even now without emotion:

"Our old mother, thank God, is not dead, but she has been reduced to extremity. We have been called together to nurse around her bedside, and to endeavor, if possible, to reanimate and reinvigorate her wasted body and now almost paralyzed limbs, and to drive back into her heart the vital blood, and bid it throb until the vital current shall stream through every vein and artery, and she shall bloom again in the beauty and vigor of health."

The Legislature which met under the constitution of 1865 elected Governor Johnson and Hon. Alexander H. Stephens United States senators, but neither was allowed to take his seat. After this Governor Johnson resumed the practice of the law, first in Augusta, in copartnership with that eminent jurist, Judge Ebenezer Starnes, and afterwards in Jefferson county. In 1873 he was appointed judge of the Superior Courts of the Middle Circuit, which position he filled with exemplary fidelity and usefulness until his death, which occurred at his home in Jefferson county, on the 16th of August, 1880.

Of a number of the solicitors-general of the Middle Circuit we have already spoken. John Forsyth, George W. Crawford, Charles J. Jenkins, and Ebenezer Starnes are prominent on the list, three of them having become governor and two Supreme Court judges. James Gardner, another solicitor or attorney-general, as the solicitor-general of this particular circuit was called, was a prominent figure in the politics of his time, and was supported for governor in one of the most exciting nominating conventions ever held in the State. For many ballots he led all opposition, but it was finally seen that a two-thirds, then necessary, could not be obtained and he withdrew. Still no candidate could succeed, and finally as a compromise Joseph E. Brown was nominated, thus beginning the career which has made him so prominent a figure in the history of Georgia.

Having confined our review to the judges and lawyers who have passed into history, we will not speak of those yet in life, further than to say that the reputation of Augusta for legal ability has been honorably maintained. We here subjoin a court roll of the judges who have presided in the Superior Court of

Richmond county from the close of the revolution, and a list of the solicitors-general from 1796 to the present day:

CHIEF JUSTICES.

John Glen.....1776	George Walton.....1782
William Stephens.....1780	Henry Osborne.....1787
John Wereat.....1781	Nathaniel Pendleton.....1789

SUPERIOR COURT JUDGES.

George Walton.....1790	John Shly.....1834
William Few.....1796	Roger L. Gamble.....1845
George Walton.....1799	William W. Holt.....1847
Benjamin Skrine.....1804	Ebenezer Starnes.....1849
Robert Walker.....1813	Andrew J. Miller.....1853
Robert R. Reid.....1816	William W. Holt.....1853
John H. Montgomery.....1819	James S. Hook.....1863
Robert Walker.....1822	William Gibson.....1866
Robert R. Reid.....1825	Claiborne Snead.....1879
William Schley.....1825	Henry C. Roney.....1883
William W. Holt.....1828	

SOLICITORS-GENERAL.

Henry George Caldwell.....1796	John J. Flournoy.....1843
Peter Johnston Carnes.....1799	Alpheus Colvert.....1847
Robert Walker.....1804	John T. Shewmake.....1851
John Forsyth.....1808	William R. M'Laws.....1855
Alexander Allen.....1811	Alpheus M. Rogers.....1859
Alexander M. Allen.....1813	W. W. Montgomery.....1862
Roger L. Gamble.....1816	John P. C. Whitehead.....1865
Thomas F. Wells.....1822	John R. Prescott.....1866
George W. Crawford.....1827	H. Clay Foster.....1868
Charles J. Jenkins.....1831	Davenport Jackson.....1872
Ebenezer Starnes.....1834	Salem Dutcher.....1877
James Gardner.....1840	Boykin Wright.....1881

From the review given it will be seen that the bench and bar of Augusta have been honorably prominent in public affairs, State and Federal.

George Walton signed the Declaration of Independence. William Few and Abraham Baldwin were the only two of the Georgia deputies who signed the Constitution of the United States. Freeman Walker, Nicholas Ware, Robert Walker, Robert Raymond Reid, and William W. Holt were mayors of Augusta. Charles J. Jenkins, Ebenezer Starnes, and William W. Montgomery became Supreme Court judges. George Walton, John Milledge, John Forsyth, George W. Crawford, William Schley, Herschel V. Johnson, and Charles J. Jenkins were governors of Georgia. William Few, George Walton, Abraham Baldwin, John Forsyth, Freeman Walker, Nicholas Ware, William H. Crawford, and John P. King became United States senators, and John Forsyth, secretary of State; George W. Crawford, secretary of war, and William H. Crawford, secretary of the treasury. The counties of Baldwin, Crawford, Forsyth, Glascock, Johnson,

Miller, Schley, Telfair, Walker, Walton, and Ware still commemorate the names of men eminent in the history of Augusta's bench and bar.

The history of the Augusta bar is largely connected with the Superior Court, but the records of the City Court show many of the names already mentioned. For some seventy years there has always been, under one name or another, a tribunal peculiar to the city in which a vast amount of legal business has been done. It began as the Mayor's Court, was then called the Common Pleas, and for many years past the City Court. Its history we here synopsize, adding a court-roll of this tribunal.

By act of December 19, 1817, there was established in Augusta a court called the Mayor's Court, the mayor being *ex-officio* judge thereof, the jurisdiction whereof extended to cases involving not less than thirty dollars nor more than two hundred dollars. For his compensation as judge the mayor was to have, in cases not exceeding fifty dollars, a fee of one dollar and fifty cents; in cases of over fifty and not exceeding one hundred dollars, two dollars; over one hundred and not exceeding one hundred and fifty dollars, three dollars; and over one hundred and fifty dollars, four dollars. It was made a court of record, and to have the same authority as the Mayor's Court of Savannah, in which court the sessions were to be monthly; there was to be an appeal from the decision of the mayor to a jury of seven men; the proceedings were to conform to those of the Superior Court; and the court could sit as a court of inquiry in criminal causes. The court was to go into operation on January 1, 1818.

By act of December 17, 1818, it was provided that the Mayor's Court should be held on the fourth Monday in each month, and have cognizance of all civil cases not involving title to real estate within the city, involving not less than twenty nor more than two hundred dollars, which should be tried by a jury of twelve, with the right in the court to grant a new trial in its discretion. In the absence of the mayor any member of the city council might preside, or the council could elect a mayor *pro tem.* as judge. Proceedings were to be by petition, a copy of which was to be served on defendant five days before court. The court could issue attachments, hold to bail, and hear claims and illegalities. The city council was to elect a clerk and city sheriff for the court, who were to hold two years, and have the same fees as in the Superior Court.

By act of December 9, 1822, the jurisdiction of the Mayor's Court was extended to cases not involving realty, where the defendant resided in the city, and the sum involved was not less than thirty nor more than three hundred dollars, but in no case was the court to have jurisdiction where a corporation or body politic was a party. There was to be an appeal in all cases to the Superior Court.

By act of December 21, 1826, the name, the Mayor's Court of the city of Augusta was changed to the Court of Common Pleas for the city of Augusta,

and it was provided that the judge thereof should be elected by the Legislature, and hold for three years.

By act of December 19, 1828, the jurisdiction was limited to cases involving not less than thirty nor more than two hundred and fifty dollars; but four terms a year were to be held, on the fourth Monday in January, April, July, and October; the clerk and sheriff were to have but two-thirds of the fees theretofore allowed; and the attorney tax fee was to be on suits pressed to judgment, three dollars; settled before judgment, two dollars.

By act of December 21, 1829, the jurisdiction was extended to three hundred dollars, cases involving title to land or within a magistrate's jurisdiction excepted; the terms were to be held six times a year, on the fourth Monday in January, March, May, July, September, and November; rent cases were triable at the first term; and, when the judge of the Superior Court was absent, the judge of the Common Pleas, in conjunction with the justices of the Inferior Court, had jurisdiction in *habeas corpus*.

By act of December 21, 1830, the jurisdiction of the court was confined to cases where the defendant resided at the commencement of the suit within the corporate limits of the city of Augusta.

An act of December 26, 1831, made some important changes. It was provided that where no plea was filed the court should award judgment, without the intervention of a jury, on proof of the plaintiff's demand, a rule now embodied in the State constitution. It was also provided that there should be no appeal to the Superior Court, but to a special jury in the Court of Common Pleas.

By act of December 24, 1832, the terms were changed to the second Monday of February and April, fourth Monday of May and July, and second Monday of October and December.

By act of December 22, 1834, the judge's fees were fixed at two dollars in cases not exceeding one hundred dollars; where between one hundred and two hundred dollars, three dollars; over two hundred dollars, four dollars; on issues of fraud under insolvent debtors act, three dollars. All the laws as to interrogatories, *de bene esse*, and *subpœna duces tucum* were made applicable.

By act of December 24, 1835, the city council was to fill vacancies in the office of clerk or sheriff of the Common Pleas, the city marshal to act as sheriff till such election.

By act of December 30, 1836, the jurisdiction was extended to five hundred dollars, save as to cases within magistrate's jurisdiction; the terms were made quarterly, on the second Monday in February, May, August, and November; the court was empowered to foreclose mortgages within its jurisdiction; suits were to be filed ten, and process served eight, days before court; the judge was to receive from the city council a salary of $1,000; all his former fees to be turned over to the council; and judgment might be rendered at the first term where defendant failed to plead.

By act of December 22, 1837, the provision authorizing the court to render judgment at the first term where defendant failed to plead was repealed, and process was to be served nine days before court.

By act of December 23, 1840, the terms were fixed for second Monday in February and May, and third Monday in July and October, and in event of vacancy in the office of clerk of the Common Pleas, the clerk of the city council was to act as such till the vacancy was filled.

By act of December 27, 1842, the terms were fixed for fourth Monday in February, May, August, and November; and the court fees were, in suits not exceeding one hundred dollars, one dollar; between one hundred and two hundred dollars, two dollars; between two hundred and three hundred and fifty dollars, three dollars; over three hundred and fifty dollars, four dollars, to be paid before issue of process.

By act of January 21, 1852, the terms were fixed for first Monday in March, fourth Monday in May, and first Monday in September and December.

By act of February 15, 1856, "the Court of Common Pleas for the city of Augusta" was to be styled "the City Court of Augusta," and in November, 1857, and every four years thereafter, the city council was to elect the judge; the court was to have jurisdiction of all offenses not punishable by death or imprisonment in the penitentiary, committed in the city; and to have a grand jury to pass on indictments therefor, the criminal practice to be the same as in the Superior Court, with *certiorari* to that court, the attorney-general of the Middle District was to be the prosecuting officer of the City Court and the judge's salary was increased to $1,500. The same act empowered council to appoint a recorder to try all infractions of the municipal ordinances.

By act of December 17, 1861, the city council was empowered to fix the salary of the City Court judge not to be less than $1,000.

By act of December 7, 1863, the judge of the City Court was given concurrent jurisdiction with the judge of the Superior Court in *habeas corpus* cases.

By act of March 9, 1865, the jurisdiction of the court was extended to ten thousand dollars, and the tax fee on suits was abolished.

By act of February 8, 1866, it was provided that a writ of error should lie from the City Court to the Supreme Court, and by act of February 6, 1866, the jurisdiction was reduced to $1,000.

By act of December 13, 1871, it was provided that the City Court of Augusta should have jurisdiction of suits against joint obligors, joint promisers, joint trespassers, or copartners, where one resided within the corporate limits, a second original to issue into the county of the other's residence.

By act of August 24, 1872, the City Court was vested with concurrent jurisdiction with the Superior Court in all cases where the jurisdiction of the latter was not exclusive under the constitution, in cases involving not more

than $1,000; and was empowered to render judgment in all civil causes, without the intervention of a jury, unless the defendant made written demand for a jury trial before the call of the appearance docket. The grand jury was abolished, and criminal causes made triable on written accusation founded on affidavit of a prosecutor, and signed by the solicitor-general.

By act of February 21, 1873, the mayor was directed to furnish two policemen to act as bailiffs during the session of the City Court.

By act of February 28, 1876, the City Court of Augusta was abolished from January 1, 1877, and its unfinished business turned over to the Superior Court.

By act of September 22, 1881, a city court was established in the city of Augusta, with a territorial jurisdiction over Richmond county; was vested with jurisdiction in all civil cases, except divorce, ejectment and equity causes, involving over one hundred and not exceeding two thousand dollars (this latter limit removed in 1887); its authority within these limits being concurrent with that of the Superior Court. It was also given cognizance of all criminal cases where the punishment is not death or imprisonment in the penitentiary, to be tried on accusation, based on affidavit, and by the judge, unless defendant demand indictment and jury trial. The judge and City Court solicitor were made appointable by the governor and to hold four years. The judge of this court is also vested with the management of the county business, taxes, roads, poor, etc. This court is still in operation. The court roll of the judges of the City Court from its origin as the Mayor's Court to the present time is as follows:

THE MAYOR'S COURT.—1818–1827. JUDGES.

Jan. 1, 1818–Dec. 8, 1819.....Freeman Walker.
Dec. 13, 1819–Nov. 21, 1821.....Nicholas Ware.
Dec. 12, 1821–April 10, 1822.....Richard Henry Wilde.
April 10, 1822–Nov. 18, 1822.....Robert Walker.
Nov. 18, 1822–April 11, 1823.....Freeman Walker.
April 11, 1823–April 12, 1825.....Robert Raymond Reid.
April 12, 1825–Oct. 4, 1826.....William W. Holt.
Oct. 27, 1826–Feb. 22, 1827.....Robert Raymond Reid.

THE COURT OF COMMON PLEAS FOR THE CITY OF AUGUSTA.

1827–1832.....Robert Raymond Reid.
June–Nov., 1832.....John P. King.
1832–1851.....John W. Wilde.
1851–1857.....William T. Gould.

THE CITY COURT OF AUGUSTA.

1857–1866.....William T. Gould.
1866–1870.....John C. Snead.
1870–1876.....William T. Gould.

THE CITY COURT.

1881–.....William F. Eve.

CITY COURT SOLICITORS.

1881–1885.....Louis A. Dugas, jr.
1885–.....C. Henry Cohen.

CHAPTER XXIII.

THE MEDICAL PROFESSION.

Augusta Physicians of 1760–1785 — First Sanitation Act — Medical Association of 1808 — Medical Society of Augusta Incorporated in 1822 — Medical Academy of Georgia — Bachelor of Medicine Degree — State Board of Physicians — Medical Institute of Georgia — Doctor of Medicine Degree — The Medical College Organized — Roll of Graduates — Yellow Fever of 1839 — Celebrated Report Thereon — Non-contagiousness Demonstrated.

AS early as 1760, when Augusta had been settled but a quarter of a century, we read of a Dr. William Day being a resident of Richmond county, and it may fairly be inferred that he was a gentleman of extended practice and consequent acquaintance, since it appears he was one of the three tax assessors of the county, then much larger than it is now. We also read in the same year of a Dr. Thomas Ford, who must also have lived in Richmond, then a border county, as the Colonial Assembly votes him £20 10s. for attention to "the people of this province wounded by the Cherokee Indians." In 1773 we read of Dr. Andrew Johnston, evidently of Augusta, since the Assembly votes him £3 for examining the body of one William Miller, who had been shot about twenty miles above the city, the coroner desiring medical testimony at the inquest. We further learn from an ancient act of about this period that the division of the medical profession into physicians, surgeons and apothecaries was rigidly maintained. Coming down to the close of the Revolution, we find Dr. Johnston still a practicing physician in Richmond county, and that Dr. Francis Folliott and Dr. Thomas Taylor were contemporary. It appears that these gentlemen took the king's side in the Revolutionary struggle, and were included in the bill of attainder of the crown's principal adherents, passed in 1778. By this all the property of the loyalists was confiscated and the loyalists themselves ordered to depart the State, and not to return under pain of death. It does not appear that Drs. Folliott and Taylor were relieved of their disabilities, but in 1785 Dr. Johnston was permitted to return home and resume practice on certain conditions. He was to pay an amercement, or fine, of one per cent. of his property, but was not to vote or hold office for fourteen years. The usual amercement, where the bar of the attainder was lifted, being twelve per cent., the doctor may be considered as fortunate, and, we suspect, owed his good fortune to the influence of a brother physician, Dr. Cornelius Dysart, who took the American side. Dr. Dysart lived on the Washington road, about three miles above Augusta, and was a man of large possessions, and, at one time, one of the commissioners to administer the sequestrated estates of the loyalists.

About this time the first known steps for the sanitation of Augusta were taken. At that period the town had a deep gully extending diagonally across it from what is now the neighborhood of the Riverside Mills towards Green street, while on the southern side of the city lay a species of morass interspersed with swamp growth. In 1786 an act was passed empowering the trustees of the Richmond Academy to lease out these swamp lands or commons, for terms of seven years in five acre lots, the preamble of the act giving as a reason that "the clearing and cultivation of the flat lands southward of Augusta will contribute much toward preserving the health of the inhabitants, as well as add to the support of the town." About the opening of the nineteenth century appears another sanitary act. At this time the cotton-gin had become an established institution, and, especially about Augusta, the preparation of cotton for market had become a prosperous and growing business. It was supposed that the cotton seed would ferment and produce unhealthful odors, and in 1803 the Legislature passed an act that the owners or occupiers of cotton-gins in or about any town or village should keep the seed dry, and at least once a week remove them to such a distance from the town or village as would "prevent all the unwholesome effects arising from the stench and vapors arising from the seed in their putrid state, if suffered to remain in heaps," under penalty of a fine of three dollars per week.

In July, 1808, a call was published in the Augusta *Herald* for a meeting of the physicians of the city to form a medical association, and while it does not appear what action was taken, it is quite probable that such a society was organized. In 1822 there was such an organization, the officers and members of which were Dr. Anderson Watkins, president; Dr. Alexander Cunningham, vice-president; and Doctors Milton Antony, Thomas J. Wray, W. T. Young, William Savage, John Dent, B. D. Thompson and Thomas H. M. Fendall; and by act of November 27, 1822, the General Assembly incorporated the association under the name and style of "The Medical Society of Augusta, Georgia." The society was empowered "to receive, hold and enjoy real and personal estate for the use and benefit of said institution;" and was made "capable of receiving any bequest or donation, whether in money or other things for the benefit of said institution;" and empowered to "sell, lease, or exchange any estate by them acquired, whether by purchase, bequest, or donation;" from which language it is clearly inferable that one of the objects of the society was to erect a medical college in Augusta.

This intent becomes certain when we consider an act passed on December 20, 1828, "to establish and incorporate the Medical Academy of Georgia." By this act Doctors William R. Waring, John Carter, Lewis D. Ford, Ignatius P. Garvin, Benjamin A. White, Samuel Boykin, William P. McConnell, Walter H. Weems, William P. Graham, Thomas P. Gorman, Alexander Jones, Milton Antony, John J. Boswell, Thomas Hoxey, James P. Scriven, William C. Daniel,

Richard Banks, Henry Hull, John Dent, Thomas Hamilton, Tomlinson Fort, Nathan Crawford, O. C. Foot, and John Walker were constituted a body corporate under the name and style of "the Trustees of the Medical Academy of Georgia." The act authorized the trustees to establish within the corporate limits of the city of Augusta, a medical academy for the State of Georgia, on such principle, and under such rules and regulations, and with such professors, instructors, and officers as may be best calculated to perpetuate the same, and promote the improvement of its pupils in the several branches of the healing art." It was further provided that the trustees should annually assemble at the Medical Academy for an examination into its affairs, five to be a quorum, and that the said "trustees, together with the regular professors and teachers in the institution, shall constitute a board of examination, whose duty it shall be, at the said annual meeting, after thorough examination, to decide on the merits of such candidates as may have studied in the said institution at least one year, and complied with all the conditions imposed by the board of trustees as preliminary to such examination, and confer the degree of Bachelor of Medicine, on such as in their judgment may be worthy of the same." The trustees were to keep a record "in which shall be registered the name, age and place of nativity of each and every person who shall receive from this institution the degree of Bachelor of Medicine, and the time when the said degree was conferred, together with the name of the members of the board of examination present" The trustees were allowed to hold real and personal property for the uses of the Medical Academy to the amount of one hundred thousand dollars, and the graduates of the institution were to be allowed to practice medicine and surgery as fully as if licensed by the State Board of Physicians.

The board of physicians here referred to had been appointed by an act of the General Assembly passed December 24, 1825, and from the names of the appointees it is quite clear that the faculty of Augusta had inspired this statute also. The following gentlemen constituted the State board: Doctors Tomlinson Fort, Milton Antony, James P. Scriven, Charles West, Anderson Watkins, Southworth Harlow, Ambrose Baber, B. A. White, Norburne B. Powell, Walter H. Weems, William P. Graham, John Gerdine, A. B. Redby, O. C. Fort, Thomas Hamilton, William C. Daniel, John Dent, Thomas B. Gorman, Alexander Jones, and William N. Richardson. The act provided that no person should practice physic or surgery, or any of the branches thereof or prescribe for the cure of diseases for fee or reward unless licensed so to do by said board, under penalty of a fine of not exceeding five hundred dollars for the first offense; and for the second imprisonment not exceeding two months. It was also provided that no apothecary should vend drugs under like penalty, unless licensed by the board after examination into his knowledge of pharmacy. The substance of this statute is law to-day, and were the act enforced a valuable safeguard would be afforded the public health, and much malpractice and con-

sequent suffering obviated. It is unfortunately the case, however, that the officers of the law are derelict in arresting and prosecuting those prowling quacks, mountebanks, and charlatans who from time to time peregrinate the country, robbing the ignorant and unwary, and leaving in their trail untold agony.

By an act passed December 19, 1829, the name "Medical Academy of Georgia," was changed to "The Medical Institute of the State of Georgia," and the trustees of the institution were empowered "to confer the degree of Doctor of Medicine upon such applicants, in such manner, at such times, and under such circumstances as may to the said board seem fit and proper, *provided* that the degree of Doctor of Medicine shall in no case be conferred on any person who shall not have attended two full courses of lectures in the institute, or one course in some other respectable medical college or university, and one in the institute in addition to the usual term of private instruction required by other institutions of a like kind."

By an act passed December 20, 1833, the name "The Medical Institute of the State of Georgia," was changed to "The Medical College of Georgia," which it has since retained. The act appropriated $10,000 "for the purpose of enabling the board of trustees of said institution to procure a suitable piece or lot of land, erect thereon such buildings, and make such other improvements as may be necessary for the various purposes of a medical college, and to procure a suitable library, apparatus, and museum for said institution, and such other things as may be necessary to the proper and successful operation of the same" It was also provided that fifty lots on the town commons of Augusta, to be designated by the city council, should be sold and the proceeds paid over to the college.

By an act passed in 1826 the Bank of Augusta was empowered to increase its capital stock up to $600,000, one-sixth of any increase made to be reserved to the State at par up to the end of the legislative session next ensuing such increase, and by act of December 23, 1835, the Medical College of Georgia was given the same rights of priority and all advantage derivable therefrom as to the increased stock of this bank as the State had under the act of 1826.

In 1835 the Medical College was erected, and from that time to the present has uninterruptedly continued its career of usefulness. For many years *The Southern Medical and Surgical Journal*, a professional publication of great merit, was published in connection with it by Drs. Paul F. Eve and Ignatius P. Garvin. While the present college building was not erected till 1835, the work of instruction began at an earlier period, and the list of graduates dates as far back as 1829. From that time to the present, the college has sent forth 1,675 graduates—from Georgia, 1,264; South Carolina, 222; Alabama, 135; Florida, 13; Texas, 12; Mississippi, 8; North Carolina, 5; Tennessee, 4; and Arkansas, Canada, Germany, Ireland, Kentucky, New Hampshire, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia, one each.

Shortly after the completion of the Medical College, Augusta was visited with an epidemic which severely taxed the strength and skill of its physicians. On the 8th of June, 1839, a number of members of a family residing on the river near Lincoln street, were attacked by a virulent disease taken at the time to be a remittent fever. On the 5th of July a laborer who had been working in the same vicinity was attacked in the same way; then a little boy who had been playing in the locality, was taken with like symptoms and died in a few days, his skin turning yellow toward the close of his illness and developing large purple blotches shortly after death. Sundry like cases then occurred in that portion of the city adjacent to the first cases, and finally on August 19th the physicians of the city were summoned into consultation by the mayor. Up to this time no such disease had been known in Augusta within the memory of man, but forty cases had occurred, the development was now rapid, and it was clear that an epidemic prevailed. The disease was pronounced yellow fever. From this time on it ran the usual course of this dreadful disease, increasing in virulence until on November 8, terminating by a black or killing frost. There were from 1,500 to 2,000 cases, and 240 deaths. In the Augusta *Chronicle* of November 11, 1839, may be seen the list of the victims.

On the 13th of November, at a meeting of the physicians of Augusta, Dr. A. Cunningham was called to the chair, and Dr. Paul F. Eve appointed secretary. The following resolution offered by Dr. F. M. Robertson was unanimously adopted.

"*Resolved*, That a committee of three be appointed to enquire into the origin and causes which gave rise to the late epidemic in Augusta."

Doctors F. M. Robertson, I. P. Garvin, and Paul F. Eve were appointed that committee, and on December 10, 1839, made their report. This report is one of the most valuable contributions known to the literature of that dreaded scourge, yellow fever. In 1877 it was ordered reprinted by the City Council. The committee say they considered the question submitted them from two standpoints, viz:

"I. Was the cause of the late epidemic introduced into our city from foreign sources?

"II. Did it arise from local causes; and if so, what were those causes?"

Those believing the disease imported were of three classes. The first believed it introduced and spread by contagion; the second considered that the atmosphere was in a vitiated condition, and that the introduction of one case sufficed to impart an epidemic constitution to an already vitiated air; and the third class attributed the introduction of the disease to some decayed tropical fruit at that time thrown on the market. The committee take up these three theories in the order named, and discuss them with signal care, skill, and ability. As to the supposition that the disease was introduced and spread by contagion, their argument is so unanswerable that it has now passed into a

medical axiom that yellow fever is not contagious. We give a brief synopsis of the report on this interesting and important point. On July 27 two persons arrived from Charleston, then suffering from an epidemic of yellow fever, or, as we learn from the report, as it was then called, "stranger's fever," and on the 31st of July, a third, all unwell. No other sick person arrived from Charleston prior or subsequent to those dates, so that if these parties did not introduce or spread the disease, it did not arise from contagion. Of the two persons arriving on July 27, one died with all the symptoms of yellow fever. The other was at once removed to the extreme western portion of the city and recovered. The person arriving on the 31st also recovered. Many persons visited these patients and in fact one was quartered at a hotel, but no case of yellow fever could be traced to such contact or proximity. The western portion of the city to which one of the patients had been removed as stated, developed no fever till a long subsequent period in the history of the epidemic. Having thus treated of the only known imported cases, and shown that no contagion could be traced to them, the committee refers to the fact that the first arrival from Charleston was on July 27, and then specifies by name and date eleven cases occurring in the city prior to that date, adding that numerous other cases could be mentioned had it been deemed necessary. The report then proceeds to give the localities in which the bulk of the cases occurring prior to August 19, when the disease was declared epidemic, were found, and demonstrates that they were not contiguous to the places where the Charleston cases were located, but lay in a close radius about the house on the river where on June 8th the first case was discovered. On these facts the committee submit "that the epidemic had commenced, fairly and decidedly, before the introduction of a single case of disease from Charleston must be evident to every unprejudiced mind."

The report then takes up another argument advanced in favor of the theory of contagion, namely that a number of persons who nursed the sick were themselves attacked. As an answer to this it is shown that where the sick were removed out of the infected district, not one single person engaged in nursing a patient was known to have had the disease; and the conclusion is drawn that it was not proximity to the sick, but habitancy in the infected district which subjected the attendant to the malady. "This we consider an unanswerable argument," says the report, against the contagious nature of the prevailing fever. If the disease was contagious, how could a removal of the sick half a mile or more from the infected part of the city, deprive it of its contagious properties? On the grounds of contagion this cannot be explained, but considering the disease of miasmatic origin, the fact is easily accounted for. Those who nursed the sick in the infected district were exposed—and that, too, at the worst period of the twenty-four hours—to the same miasmatic exhalations that had produced the disease in the patient. When the patient

was removed, however, to an atmosphere free from the malarial poison, the nurses escaped, though they were exposed to the exhalations from the diseased body of the patient, who often expired in the most frightful agonies, with black vomit, hemorrhage, and all the evidences of extreme putridity." The committee then instanced one remarkable case where there was no communication whatever with the sick. A criminal under sentence of death in the jail, immured in a cell, and having seen no one but the jailer and turnkey, was the first person in prison who took the disease. Again, after the first black frost, which occurred on November 8, great numbers of the citizens returned to the city. If the disease could spread by contagion, why was it not communicated to some of them by the numerous cases then still under treatment.

The report next takes up reports made by eminent physicians of Charleston, Norfolk, Baltimore, Philadelphia, and New York on the yellow fever in those cities. In 1839 the fever prevailed in Charleston as it did in Augusta, and in the former city it was a general impression that it had been introduced by a vessel called the *Burmah*. On October 18, 1839, Dr. T. Y. Simons, chairman of the Charleston Board of Health, read before that body "a report of the history and causes of the strangers or yellow fever, of Charleston," in the course of which he says: "The fever having occurred so early in the season and so soon after its occurrence on the *Burmah*, created suspicion of contagion in the minds of some, but I could not, upon the minutest investigation, come to that conclusion, and a committee appointed by the Medical Society, after making a minute and thorough investigation, came to the conclusion that the fever was not introduced by the *Burmah* or by contagion, but was produced by the peculiar condition of our atmosphere, in other words was epidemic and arose from causes among us."

The committee here referred to was composed of Drs. A. Lopez, James Moultrie, E. Geddings, I. M. Campbell, Henry Winthrop and J. E. Holbrook, the president of the Medical Society. The following is from the report of that committee: "Your committee are therefore of opinion that the yellow fever which has prevailed and still continues this season, has its origin, not from contagion derivable from those cases imported in the ship *Burmah* on the 6th of June last, but from local and general causes." Dr. Geddings, chairman of this committee, in answer to a query from the chairman of the Augusta committee, says: "I have never either in the epidemic of the present summer in Charleston, or in any of those which preceded it, observed a single fact or circumstance favorable to the belief in any contagious property. On the contrary I have witnessed the most free and unlimited intercourse between the sick and those who might be considered subjects for the disease, without the latter being attacked."

In speaking of the yellow fever as prevailing in Charleston in 1799, Dr. Ramsey, the eminent physician and historian, says: "We have no reason to

believe that the yellow fever was imported among us, or communicated by contagion. Strangers who left the city, and afterwards sickened and died in the country, were not the occasion of death, or even disease to those who attended them in their last illness." In writing in 1800 to Dr. Miller, of New York, Dr. Ramsey says: "The disputes about the origin of yellow fever which have agitated the Northern States, have never existed in Charleston. There is but one opinion among the physicians and inhabitants, and that is that the disease was neither imported nor contagious. This was the unanimous sentiment of the Medical Society, who, in pursuance of it, gave their opinion to the government last summer, that the rigid enforcement of the quarantine laws was by no means necessary on account of yellow fever."

In Norfolk the fever had frequently prevailed at the date of the report now under consideration, and a report or certificate dated October 12, 1801, and signed by Drs. Taylor, Hansford, Selden, and Whitehead is quoted as follows: "We do hereby certify that the malignant yellow fever, which prevailed with violence for some time past, has now nearly ceased, and that the health of the town appears to be improving daily. We know of no instance in which the disease has been communicated by contagion."

In a report made in 1800 by the medical faculty of Baltimore to the mayor of that city in reference to the yellow fever prevalent there in the summer of that year, they say: "After the most scrutinizing investigation the faculty find no proof, or even cause of suspicion, that the fever which lately so unhappily afflicted our city was derived from foreign causes."

The celebrated Dr. Rush, of Philadelphia, was in the early part of his career of the opinion that yellow fever was contagious, but in his later years, and as the result of the most careful investigation and study, publicly announced that he had arrived at the opposite conclusion. In 1793, 1794, and 1797 the fever desolated Philadelphia, and Dr. Rush based his later opinion on his experience of the disease from practical observation, his original idea of infectiousness being derived from the works of some West India writers, and therefore purely theoretical.

In 1803 the yellow fever prevailed in New York, and Drs. Miller and Mitchell of that city say: "The first public alarm took place from some deaths about the Coffee House slip, and in that neighborhood, where from the number and malignity of the cases, the atmosphere must have been charged with miasmata of great virulence;" also, "many aged and young persons, whose condition imposed confinement in their houses, without the occurrence of any preceding case in the families, were attacked with the disease in its most virulent form. Multitudes also took the disease who had not previously appoached any sick person, any suspected vessel, or any families allowed to be imbued with contagion." The report then instances Galliopolis in Ohio where many deaths occurred in 1797, when there was no communication with Atlantic

ports, but the place was remarkable for "the filthiness of the inhabitants, and an unusual quantity of animal and vegetable putrefaction in a number of small ponds and marshes within the village." In the same year New Design, a small inland town of Missouri, containing a population of about two hundred, lost fifty-seven by yellow fever, whereas no person had arrived at it from any infected place within the year preceding.

The report then says: "If we examine minutely the history of yellow fever, wherever it has prevailed, we find that it invariably obeys most of the laws which govern other miasmatic diseases. It has usually commenced its ravages during the heat of summer, increased its violence as the season advanced, and ceased as soon as the temperature ranged below a given point, or after a severe frost. Contagious diseases conform to none of these laws. What climate, what temperature, or what season can arrest the ravages of smallpox, for instance?"

The committee then takes up the second theory of the origin of the disease, namely that the atmosphere was in a vitiated condition and that the introduction of one foreign case was the match to the magazine. It considers it an unanswerable argument against this view that the disease was at first confined to one spot and spread gradually thence so that it was late in the season before it had progressed from the eastern part of the city where it first developed to the western portion, then about half a mile or so. The theory of the decayed West India fruit is found unworthy of serious mention. Such fruit is found all over the country every season, with no fever as a concomitant.

The report then proceeds to consider the second great question, "did the fever arise from local causes, and if so, what were those causes." The committee find that is was not any peculiar filthiness in the lots where the disease first appeared, they being up to the standard of the city's cleanliness. Nor was it any accumulation of water infused with filth on those lots, they lying low, such accumulations being a frequent occurrence before without evil results, and moreover, this particular season being extremely dry, no rain falling for seventy-one days. Nor was it the unusual lowness of the river exposing banks of slime, etc., the bed as exposed being "a beautiful sandy gravel, containing scarcely any remains of either animal or vegetable matter"; and in 1830 the river was equally low, with perfect health prevailing. Nor was the fever caused by certain rotten cotton seed or decayed bacon, or the rank growth of the *morus multicaulis* as variously supposed, the bacon being at a point distant from the first seat of the disease, the morus growth thickest in that portion of the city last to feel the epidemic, and the cotton-seed, a subordinate factor, if an operative factor at all, to the real origin. That origin the committee finds in what was known as the city trash pile, that is, an enormous accumulation of the refuse of the city in the river at the foot of Lincoln street. In April, 1834, the city council voted "that there be constructed a slide or platform on the river

bank for the purpose of throwing the dirt and rubbish collected by the street officer clear of the bank into the river." The platform was erected on piling, projected one hundred and ten feet into the river from the edge of the bank, and was forty-five feet high from the bed of the river. The street officers' carts laden with all the animal and vegetable matter collected from the different lots and yards of the city daily, were drawn to the end and sides of this platform and emptied in the river. Thus commenced the accumulation in 1834. At first, this collection was cleared away from time to time down to the water's edge, but finally this was neglected. An old boat lodged against the pile which prevented the water sweeping under the platform, and in 1869 the mass amounted to over 200,000 cubic feet. Malaria arising from the dissolution of vegetable and animal matter, especially the former, what a magazine of death was here! In April, 1839, the city directed the accumulation removed, and the use of the platform discontinued. The contractor who undertook the removal of the filth only partially did his work. The accumulation was so high that the workmen could step from the platform on to it, and the plan of removal was to dig down into it and throw it broadcast into the river. During the operations of the workmen as they penetrated into the interior, the heat evolved was so great that they were compelled to desist from work for two hours at a time, though they wore thick shoes. When the contractor had leveled it off as far as possible there still remained 117,000 cubic feet, which had been concealed for years, and now first since its deposit saw the light of day. The river continuing to fall exposed those portions of the mass which had been leveled off and thrown into it. For its measurements the committee could vouch having had an accurate survey made by a competent engineer. The first leveling off was completed by May 29. On June 8th the first cases of fever developed in the neighborhood of the pile. The nearest family was taken, a second removal was ordered, which was completed on July 2, with the result of exposing fresh festering surfaces. On July 5, one of the workmen was prostrated with fever, and on the same day a little boy who had been playing about the platform. On the 7th there were two more cases, another on the 14th, two more on the 16th, and then others in rapid succession before the arrival of the first infected person from Charleston. Efforts were made to cover the trash pile with earth, but it was too late; the atmosphere was already impregnated with the miasmatic poison, and moreover the portions of the filth which had been cast into the river remained uncovered. The direction of the wind was from the trash pile towards the parts of the town affected, and as the direction varied, new districts lying in the charged track became infected, gradually poisoning the whole city.

On all the facts collectible in a most laborious examination the committee came to two conclusions, which they embody in resolutions.

"1. *Resolved*, That from the facts disclosed in the foregoing report, we are

of opinion that the cause of the late epidemic was not introduced into our city in any manner whatever from foreign sources, nor do we believe the disease to have exhibited, in the slightest degree, a contagious nature.

"2. *Resolved*, That in our opinion the cause of the late epidemic arose from the accumulation at the upper 'trash wharf,' between Lincoln and Elbert streets, of upwards of 200,000 cubic feet of vegetable and animal matter, collected from the lots and streets of the city since the year 1834, which was opened and exposed to the action of the sun in the months of May and June last."

The report and resolutions were then adopted.

While there has been subsequent medical dissent from one of the positions taken in this valuable report, it may be regarded as settling the question of contagion or infection in the sense in which smallpox is contagious. A modern view is that there is a yellow fever microbe or germ, which when meeting an atmosphere prepared for its reception flourishes like a rank, poisonous weed.

One striking point in the report is the evidence that it affords that Augusta was never visited by yellow fever till 1839, or for more than a century from its foundation. A third resolution reported by the committee urges the citizens to be warned of "deleterious consequences arising from a general neglect of cleanliness, which, for some years past has been too common in our city, *owing to its unprecedented state of health.*" In his letter, heretofore mentioned, to Dr. Geddings of Charleston, the chairman of the committee says: "The irruption of a malignant disease in a community unaccustomed to such a visitation."

In 1854 Augusta was again visited with yellow fever. On the 16th of September the disease was declared epidemic, and the bulk of the population fled, as in 1839, to the Sand Hills, the piney woods and other salubrious resorts so plentiful near the city. Despite this depopulation, the fever vindicated its fearful name. We have heard from an eye-witness that the dead were even carried to the grave in wheelbarrows for lack of vehicles.

In a medical point of view the epidemic of 1839 had been of service to the world. From the observations then made it became confirmed as an axiom that yellow fever was not contagious in the sense of personal communication like, for instance, smallpox. The outbreak of 1854 had also its uses. It will be remembered that in the celebrated report of the Augusta physicians of 1839, it had been argued, and with great power, that the fever was of local origin and had not been imported or communicated from Charleston, then infected. The origin was then traced to a noxious mass of animal and vegetable decomposition on the river bank, and the disease was traced in its course from the first cases, occurring in that vicinage, until it radiated throughout the city. The observations of 1854 confirmed the conclusion of 1839 of the non-contagiousness of yellow fever, but led to a very careful examination of the doctrine of local origin, with the result of evolving a theory that yellow fever is of exotic origin,

has no native habitat in the United States, and only effects a foothold by transportation of a germ or spore. This theory was advanced as early as 1856 by Dr. Henry F. Campbell, an eminent Augusta physician, at the seventh annual meeting of the Medical Society of the State of Georgia, held in Macon, and has since in several valuable papers been enlarged upon by him. The substance of his views is about as follows: From 1768 to 1838 there had been some twenty-seven visitations of yellow fever in Charleston, but one hundred and thirty-six miles distant from Augusta, and yet up to 1839 there had been no yellow fever in Augusta. In 1833 a system of railway communication had been opened between Charleston and Hamburg, lying immediately across the Savannah River from Augusta, and by 1839 was in full operation, the distance which by stage had taken several days to traverse being now covered in some few hours. In 1839 the fever raged in Charleston; no check was placed on the running of railway trains out of the infected city to Hamburg, and that year the fever for the first time appeared in Augusta. Did not these facts point to a transmission of the disease from Charleston to Augusta by rail. The possibility of contagion being communicated by personal contact had been shown not to exist. In all former epidemics in Charleston fugitives had found their way to Augusta by the slow staging, and yet no residents of Augusta had been attacked, though the fugitive himself not unfrequently died in the city with the disease in its most malignant form.

CHAPTER XXIV.

THE MEDICAL PROFESSION, CONCLUDED.

The Yellow Fever Epidemic of 1854—Portability of Fever Germ—Dr. Campbell's Theory of Quarantine—Board of Health—The Sewer System—Decrease in Death Rate—*Southern Medical and Surgical Journal*—Eminent Physicians—Milton Antony—Fendall—Cunningham—Watkins—Carter—Garvin—Newton—Dugas—Ford—Eve—Augusta's Present Faculty.

AGAIN, from 1807 to 1854 the yellow fever had visited Savannah seven times, and yet there had been no outbreak in Augusta contemporaneous with one in Savannah, but in 1854 communication by rail was established between Savannah and Augusta. In that year the fever became epidemic in the former, and after it had there obtained a firm foothold, appeared in the latter city. Again, it was the fact that a distance formerly consuming days was now traversed in a few hours. No restraint was placed on trains leaving infected Savannah for uninfected Augusta; and behold the uninfected city becomes infected. Did not this, also, tend to show the portability of a fever germ?

Still, further, Macon was placed in railway communication with seaports, and the fever appears where it had never appeared before; and yet again, such was the sequence in the case of Memphis and other far inland centers, of late years so piteously devastated.

Certain specific instances occurring in the epidemic of 1854 seem to point, as with a finger, to the existence and portability of a yellow fever germ. At Union point, a station on the Georgia Railroad seventy-six miles from Augusta, and in an elevated pine region celebrated for its salubrity, a Mr. Lampkin and his wife both died. Mr. Lampkin was transportation agent at that point, and in discharge of his duty daily entered the freight cars arriving from fever-stricken Augusta; his wife was daily in the passenger cars serving refreshments. Why should these residents of so healthy a region perish of yellow fever unless the railway had carried the germ out of Augusta, and in their daily routine they were peculiarly exposed to its influences? In 1876 the fever obtained a foothold in Savannah, and at Oliver, a point on the Central Railroad, forty-five miles from that city, all the railway employees about the depot who slept in the freight cars arriving from Savannah were attacked with the fever; those who slept in other places were not attacked. A young farmer of the neighborhood, who had not been near Savannah during the season, slept in a passenger car left over night at Oliver; eight days afterwards he died of yellow fever. In 1877 the fever prevailed in Fernandina, Fla., and a gentleman fled thence to Augusta with his family and effects. The father soon died of the fever. About that time one daughter opened the trunks which had been packed in and brought from Fernandina, and some time after was attacked with the fever, and then in rapid succession every other member of the family was taken. The disease did not extend beyond the household. In 1854, after several black frosts had put an end to the epidemic, there were a number of new cases in Augusta, all confined to returned refugees who on reaching home had opened wardrobes, trunks, bookcases, and other receptacles which had been closed when the owner fled.

Dr. Campbell, therefore, lays down as two fundamental principles, the following:

"First. That the poison or product giving rise to the assemblage of phenomena and sequences which are known to constitute yellow fever, is an exotic readily importable into this country and, after importation, transportable from one region to another.

"Secondly. That yellow fever is not in any of its stages communicable from one person to another after the manner or according to the rationale of ordinary contagion."

In support of these propositions he enters on a comparison of the old and new methods of transit, saying:

"First, that the yellow fever refugee, from the coast or elsewhere, travel-

ing slowly, as in times past, by stage or private conveyance, with comparatively little baggage, though he brings with him in his blood a full supply of yellow fever germs or poison sufficient to produce in him all its phenomena, and among them black vomit and death, has never been known, whether he was overtaken by the wayside, in the pine woods, or in the crowded city, to communicate the disease to others, or to infect the air of the inland community in which he had fallen.

"While, secondly, the yellow fever refugee of the present time, coming in the rapid transit of a few hours by railroad, and bringing with him often the largest Saratoga trunks of porous baggage that had been packed and closed in the infected atmosphere, has brought with him, besides the germs circulating in his own veins—proved to be innocuous to all but himself—he has, I say, besides these blood-germs, brought with him a vast multitude of propagating atmospheric germs, in all their activity and capacity, to poison all who may directly imbibe them, and to rapidly propagate poison in the atmosphere of the entire locality.

"In the first case the ventilation incident to several days of travel had removed from his scanty baggage and wearing apparel, probably, all yellow fever germs that were capable of communicating disease; only the poison which he carried in his own blood remained, and this could infect no other person nor poison the air. In the case of the modern or railroad traveler, the immense volumes of germ-laden air in the passenger train, and still more in the boxed-up freight cars, besides what is brought in the trunks, must inevitably insure widespread atmospheric infection, and a widespread epidemic. Even though the air of the invaded locality may be what is called 'pure,' it cannot often escape vitiation; when it may be what is called 'foul,' propagation and an epidemic are simply inevitable."

Dr. Campbell finds the great preventive measure in quarantine on correct principles, outlining the same thus:

"First. Allow no railroad train or car, whether for passengers or freight, coming from an infected locality, to approach within many miles of any healthy or uninfected town or city.

"Secondly. Meet these trains at some undoubedly safe distance from their place of destination by fresh cars for both passengers and freight.

"Third. A careful and discriminating surveillance to be maintained over the baggage of passengers and over the freight in order to determine what will be safe, after ventilation and other means of disinfection, to be taken on the fresh cars. Porous articles and closed trunks being most objectionable till disinfected.

"Fourth. That passengers have free passport into, and refuge in, any city, town, village, or other community, without hindrance on account of their physical condition in relation to their supposed or manifested inception of

yellow fever poison. Long exposure in yellow fever atmosphere, attendance on the sick, actual fever and black vomit should be no bar or hindrance, on account of infection, to the free passage of persons seeking refuge for themselves and families from yellow fever.

"Fifth. To secure the privilege and benefits of the unrestricted travel contemplated by the modified quarantine, all persons must submit to such provisions as may be deemed necessary by the sanitary officers. Baths and change of apparel may be exacted, but simple ventilation only will in most cases suffice.

"Sixth. In the establishment of a modified quarantine on the above systematized method, arrangements on the most liberal and enlightened scale will be required. Officers of intelligence and high character only should be appointed to superintend and carry out the details of the plan. Whether buildings temporary or permanent will be required, and whether municipal, State, or national sanitary authorities are best to have charge of its conduct, only experience in an untried method can determine. An efficient and easy-working system can only gradually and by slow progress be perfected."

By resolution of November 13, 1879, the Augusta Medical Society accepted these views as follows:

"*Resolved*, That the yellow fever quarantine of the present time should be so modified as no longer to exclude persons coming from infected regions from taking refuge in healthy localities; baggage, clothing, trunks, and boxes being strictly excluded and every detail being minutely systematized on this principle."

In 1877 the Legislature provided for a board of health for the city of Augusta, and by subsequent acts enlarged its powers. It consists of one citizen from each ward, two physicians from the city at large, a chemist, and the mayor and health committee of the city council, and has plenary powers over the subjects of sanitation and public health. It has a president, a secretary, and one inspector for each ward. It is authorized to institute all sanitary measures necessary to the preservation of the public health, or to prevent the generation or introduction of infectious and contagious diseases, and to regulate the subject of quarantine in its discretion. The ordinances of the board on the subjects committed to it have the force of law, and all violations thereof are cognizable in the Recorder's Court. When it declares a quarantine, any violation of such quarantine is cognizable in the State courts. The board has also control of the sewerage and drainage systems of the city, but the construction of new works requires the concurrence of the city council; and has a supervisory jurisdiction over all public institutions in the city as respects sanitation. In the matter of quarantine and disinfection the board has authority to establish quarantine stations not exceeding forty miles from the city, and to prescribe regulations as to the transportation of freights to, or through the city,

and as to the ventilation, disinfecting, and cleaning of all boats, cars, engines, and vehicles reaching the city; the penalty for infraction of such rules by individuals being a fine not to exceed $1,000, imprisonment in jail not to exceed six months, or confinement in the chain gang not exceeding twelve months; any one or more of such punishments in the discretion of the court, and by corporations a fine not exceeding $5,000. The salary of the president of the board is $1,200 per annum, of the secretary $400, and there are five sanitary inspectors, each receiving $50 per month. The cost of the board averages $5,000 per year. There are 7,068 lots in the city, about the same number of water closets and surface privies, and forty miles of sewers and surface drains. It is the duty of the inspectors to see that the lots are kept clean, and that all the sanitary regulations respecting the sewers, drains, etc., are conformed to.

In 1886 they discovered and had abated 12,461 nuisances injurious to health. It has been found that under the board the construction of sewers and drains has been not only more scientifically carried on, but much more economically, as, for instance, in 1886, it constructed 6,706 feet of side drains at $9\frac{1}{2}$ cents per foot, which had previously cost the city $28\frac{3}{4}$ cents. It has also been found that it could construct from three to five feet of sewer for the price formerly paid for one. This economy has been the result of judicious reduction in the size of sewers, the substitution of pipe for bricks, and the construction of work by contract under competitive bids. The practical value of the board's labors is shown in a marked reduction of the city's death rate. From 1871 to 1879, inclusive, it was 30 in the 1,000. From 1880 to 1885 it was 24; a decreased death rate equal to 210 lives per annum. The death rate of 1886 was 23.38; and for 1887 but 21.33, the smallest ever known in the city.

On the organization of the board of health Dr. L. D. Ford was made president and continued in office until 1880, when he, Drs. Dugas and Rains resigned. During the times these gentlemen remained in office they each rendered great and valuable service to the sanitary interests of the city. The minutes of the board show numerous able and voluminous papers presented by them on various questions of hygiene, as, for instance, sewerage, drainage, quarantine, disposal of household wastes, garbage, excreta, etc. In 1878 several families were stricken down with typhoid fever, attacking nearly every member of each household. Through their physicians the board of health was appealed to investigate the causes of the fever. A committee, consisting of Drs. L. D. Ford, L. A. Dugas, and G. W. Rains, was appointed. In prosecuting their duties they found that the fever was caused by the frightfully filthy condition of the Elbert street sewer, which was but an elongated cesspool filled to nearly one-half of its diameter with mud, stagnant water, kitchen slops and human excreta. The committee recommended the cleansing, flushing and disinfection of the sewer. The committee was then charged with the duty of opening and examining the condition of every sewer in Augusta, and

in 1878 made the following report: "After full discussion we are unanimously of the opinion that all these sewers (referring to the then system) are viciously located, improperly constructed, and as to their influence upon the public health, your committee here express the opinion, without going into details, that they are now damaging the health of our citizens, with the prospect of great danger in the future. . . . . Your committee do but justify their sober judgment in declaring their conviction that malignity, plotting mischief against the citizens of Augusta, urged by disciplined ingenuity, could not have spent the large amount of money, the cost of these sewers, in any way better for its purpose than in building them." This report was signed by Drs. L. D. Ford, L. A. Dugas and G. W. Rains. These gentlemen urged immediate action in removing faulty sewers, and a complete system. Dr. G. W. Rains submitted an elaborate plan for a complete system of sewers and drains, which the board adopted, and recommended council to put in execution. In 1879 1879 President Ford stated to the board that the report had been received by the council without any action; "therefore," said he, "I have called you together to consider if any or what action you will take to relieve the board of health from the responsibility which is still resting upon them." Failing in their efforts to secure prompt support from council, Drs. Ford, Dugas and Rains resigned membership in the board of health. Council requested these gentlemen to withdraw their resignations. This they declined to do. Council then elected Drs. Eugene Foster, V. G. Hitt, and G. H. Winkler as their successors. Dr. Foster was unanimously elected president of the board of health, and has three times since been unanimously elected to that position, his last election being in 1888. The president of the board of health promptly took up the sewerage question where it had been left by Dr. Ford, and persistently pressed the matter upon the attention of the council. The city engineer was instructed to begin at once to open each sewer in the city and fully report its condition, size, shape, grades, connections, and outlet. Upon receiving the report of the engineer, the board of health promptly condemned as a nuisance injurious to health every sewer shown by his report to be such. The board of health fully concurred in the report of President Ford, in his annual report for 1879, in which he said: "It condemned these sewers in almost every particular—that they were vicious and dangerous in their location, vicious in their construction, and injurious to the public health; that they were built in violation of the settled principles of sanitary science; that, by whomsoever built, they were left a legacy of evil to the city, and should be removed as soon as possible." Dr. Foster insisted that the present sewerage and drainage systems should be examined by a sanitary engineer of undoubted ability, and plans presented for a complete system. To this purpose he suggested that Colonel G. E. Waring, a world renowned sanitary engineer, be invited to Augusta. This suggestion was adopted, and Colonel Waring, in 1880, began the

work of examining the then sewerage and drainage systems, and, after fully examining the problem, rendered to the board of health his report, in which he condemned as a whole the then sewer system, and recommended a system of pipe sewers (similar to that of Memphis, Tenn.), with an outlet sewer from corner of Taylor and Twiggs streets through Twiggs to Watkins street, through Watkins to East Boundary, and through East Boundary street to the river. The board of health decided not to recommend to council the Waring system until it had obtained further expert opinions on the question, and recommended council to employ Dr. Azel Ames, of Boston, Mass., another noted sanitary engineer, to examine and report upon the question. This was done by the council. Dr. Ames promptly began the work and submitted plans and details therefor in May, 1881. Dr. Ames's paper, like Colonel Waring's, recommended the abolition of the then existing sewers, and the substitution therefor of a system of pipe sewer, with a main outlet sewer commencing at intersection of Savannah road and Ninth street, through Twiggs to Watkins, through Watkins to East Boundary, thence northward to the river. Second outlet sewer through Greene to East Boundary, thence to the river.

Dr. Ames's report also embraced the subject of increased water supply. He recommended locating the pumps at Rae's Creek, and taking the water supply from the lake. The sewerage system proposed by Dr. Ames was by him estimated to cost $220,000, and the increased water supply —giving the city 5,000,000 gallons of water daily—$70,000, making the sewerage and waterworks system cost $290,000. The board of health and council adopted the plans of Dr. Ames, and council, being charged with the duty of providing the ways and means, decided to submit the question to the voters of the city and ask authority to expend $400,000 if necessary, in constructing these important works. At a special election held July 8, 1881, the citizens, by a more than two-thirds vote, sustained the proposition to construct these works, and issue $400,000 in bonds to pay therefor. An injunction was sued out against the issue of these bonds, and upon being carried before the Supreme Court it decided that to issue the proposed bonds would violate that provision of the State constitution which prohibited any city with a bonded debt equal to seven per cent. of its taxable property from incurring any new bonded debt. Thus halted in its work, the board of health was forced to rebuild, remodel and perfect the existing sewers as best it could from money to be annually appropriated by the council. This has from year to year been done as speedily as possible. The board of health, under recommendation of its president, adopted a comprehensive plan of sewerage and drainage, and that all work done should be a part of the complete system, and $10,000 annually has been expended on this important work. Dr. W. H. Doughty, a member of the board, having in view the idea previously suggested by Colonel Rains, and adopted by consulting engineers Waring and Ames, of delivering the sewage in the river north

of the city, instead of into the swamps on the south of it, submitted to the board of health, in 1883, a plan for an outlet sewer for the eastern and south-eastern section of the city extending as far west as McIntosh street. Dr. Doughty's plan recommended an outlet sewer running through Walton street to east boundary and thence northward to the river, the grade to be twenty feet at third canal level, and to be constantly irrigated with a stream of eighteen inches from the canal. The board of health and city engineer found that the plan suggested by Dr. Doughty was not feasible under the grade and elevation suggested by him, and the board, upon advice of the engineer, changed the route suggested by Dr. Doughty, and turned the course of the sewer northward to the river through Houston street, thereby greatly curtailing the cost, and also lowered the proposed grade four feet, thereby rendering the proposed plan practicable. The engineer and board of health decided to build the sewer six feet internal diameter, so as to make it practicable for an outlet for all sewers as far west as McKinnnie street. The city engineer estimated the cost of the proposed sewer at $38,978.07. The board adopted the plan of Dr. Doughty as amended, and recommended to council to promptly build it; council adopted the plan, and submitted it to a popular vote, and asked authority to levy a special tax of $\frac{1}{4}$ of 1 per cent. for one year. The election was held February 27, 1884, and resulted in its adoption by a more than two-thirds vote. Council then appointed the mayor, president of board of health, and streets and drains committee of council, a commission to build the outlet sewer. This commission, with City Engineer Davidson, promptly began its labors and, as rapidly as possible, had this important structure completed. Upon completion of the sewer the commission found that it had built the structure for $10,000 less than the estimated cost, and more than five thousand dollars less than the bid of any responsible bidder for the work—certainly a rare experience in constructing a public work. Since its completion two floods have fully tested its strength, and, in each instance, it successfully stood the enormous water pressure brought to bear upon it. The sewer system is a modification of what is known to engineers as the combined system, *i. e.*, for conduction of sewage and storm water. All sewers running southward are about thirty-six to forty-eight inches diameter and carry sewage and storm water, those running east and west are for conduction of sewage only—the storm water in these sections being carried by surface drains to the sewers running southward. By this latter plan the city will save fully a half million of dollars by the time the sewerage system shall have been completed. This plan is that suggested by the president of the board of health. All storm water passes through sand traps or pits before reaching a sewer, thus depositing the sand in the traps instead of in sewers. Manholes have been placed at intervals of three hundred feet in every sewer to readily admit of inspection of these conduits.

Up to 1887 it was impossible to build sewers in the section of the city be-

tween Twiggs, South Boundary and West Boundary streets and the canal, as no outlet sewer had been provided. In 1887 the president of the board proposed a plan for this latter structure, and, in consultation with City Engineer Davidson, submitted to the board of health plans and details therefor. These plans were adopted by the board of health and council, and the city council made an appropriation for building a part of this sewer in 1888. In a few days work will be begun upon this structure. When it is completed all sections of the city will be fully provided with outlet sewers, and the danger of discharging sewage into the swamps south of the city to stagnate, and thereby injure the public health, will be removed. The lateral sewers can then be constructed from year to year as the city's finances will permit, and, when completed, Augusta will have a sewerage and drainage system equalled by few cities in America. When this important work is completed a marked decrease in our death rate will be observed.

The good results of the sanitary measures adopted in Augusta are seen in a death rate now as low, as respects the white population, as any city in the country, while the total death rate has been decreased in a remarkable and encouraging degree.

From 1871 to 1879, inclusive, the annual death rate of the total population was 30 per 1,000; from 1880 to 1888, inclusive, it was 23.91, showing a decrease of 6.09. This result has been achieved despite a heavy increase in density of population, which always militates against healthfulness. The population of the city being 37,000, it is demonstrable that the very efficient work of the board of health results in a saving of two hundred and twenty-two lives annually.

For the period 1880 to 1888, inclusive, the following has been the relative death rate among white and colored populations: White, 17.36 per 1,000; colored, 33.90, the death rate among the colored population being nearly double that of the whites. During the period 1880 to 1888, inclusive, the death among the whites being only 17.36 per 1,000, it shows that for the whites the death rate is as low as in almost any other city in America. Further it appears that for the first five years of this period, 1880 to 1884, inclusive, the average annual death rate per 1,000 white population has been 18.81, while for the last four years, *i. e.* from 1885 to 1888, inclusive, it has been only 15.53, showing a constantly decreasing death rate among the white population amounting to 3.28 per 1,000 annually.

In 1887 a charter commission or select body of citizens empowered to investigate the entire working of the city government in all its branches, thoroughly examined the operations of the board of health, and reported as follows: "We approve of and highly commend what has been done, and what is proposed by the board of health, and we take much pleasure in bearing testimony to the great skill and ability of Dr. Foster, to whose untiring energy and knowledge of the science of sanitation, the city is greatly indebted for the re-

duction in the death rate of our city in the last six years, from 30 to 21.33 per 1,000. We cannot speak in too much praise of such a work, or recommend too strongly that the powers of the board be increased so that the death rate may be more and more reduced."

Of the *Southern Medical and Surgical Journal* mention has been made several times in the course of this sketch of the medical profession of Augusta. It was the first publication of the kind in the South, except possibly one in New Orleans, and was begun in 1845 by Doctors Paul F. Eve and Ignatius P. Garvin, and conducted by them till 1851, when Dr. L. A. Dugas took charge. Dr. Dugas edited the *Journal* until 1856 by himself, and from that time until the war in conjunction with Dr. Henry Rossignol. During the war the publication of the *Journal* was suspended, but after the war it was revived and continued a short time under the charge of Doctors Dugas, Ford, and Doughty. The immense number of medical publications of recent times has, to a great extent, rendered such a journal unnecessary, but it was in its day of very great value, and is even now a rich treasury of medical learning.

Of some of the eminent physicians of Augusta of the past we now speak.

Dr. Milton Antony is a central figure in the medical annals of Georgia. He founded the medical college, and his ashes repose in the college yard. Dr. Antony was born in Wilkes county, Ga., in 1784, and had few, if any, educational advantages. But the love of learning was in him, and by his own efforts he wrought himself forward to the front rank of his noble profession. In 1822 his name headed the list of members of "The Medical Society of Augusta, Georgia," and in 1825, when the Legislature created the State Board of Physicians, he was made one of its members. In 1828 the Legislature made him one of "the trustees of the Medical Academy of Georgia," the act authorizing the trustees to establish within the corporate limits of the city of Augusta a medical academy for the State. At this time Dr. Antony in conjunction with Dr. Joseph A. Eve, one of his pupils, had a species of medical institute then in operation in connection with a hospital in the lower portion of Augusta, where the widow's home now is, but the inability to confer degrees probably crippled its usefulness as an educational institution, and led to the passage of the act of 1828, and the acts of 1829 and 1833 already mentioned. In 1829 the name Medical Academy of Georgia was changed to "the Medical Institute of the State of Georgia," and that in turn in 1833 to the present style "The Medical College of Georgia." Of this institution Dr. Antony is undoubtedly the founder, his energies never relaxing till he had seen a substantial edifice erected and supplied with library and museum. While only surviving the founding of the college five years, Dr. Antony had the satisfaction in that time of seeing it graduate sixty-two physicians. In the yellow fever epidemic of 1839 Dr. Antony lost his life, dying on September 19th of the prevailing disease, but laboring in his humane profession to the last. The fever broke out in August; it was

its first appearance in the city; there were few, if any, experienced nurses; the faculty had little, if any, experience with such a malady, and it seems quite apparent from contemporaneous accounts that Dr. Antony put forth superhuman exertions in this terrible exigency, and so overtaxed his strength as to fall an easy victim to the plague. Even in those days of death and sorrow his demise was keenly felt and bitterly lamented. He was interred in the college grounds, and on the slab covering his grave is this inscription:

"Mortale quicquid caduit hic depositum
Milton Antony, M.D.
Conditor collegi medici Georgiensis,
Exegit monumentum ære perennius,
Vixit annos quinquaginta,
Obiit die xix. Septembris,
A. D. MDCCCXXXIX."

In the lecture-room of the college, on the right of the professorial rostrum is inserted in the wall a marble memorial tablet thus inscribed:

"In Memory of
Milton Antony, M.D.,
Founder of this College.
A martyr to humanity and the duties of his profession,
During the fatal epidemic of 1839.
Cheered by Religious Faith through the Griefs and Trials of this life,
He passed from the cure of the sick to the sleep of the just,
Amid the tears and blessings of the poor.
True to his own favorite maxim,
That a virtuous will is almost omnipotent,
He overcame by study the defects of education
And patiently toiling to eminence, bequeathed to Posterity
A noble Example of Genius and Industry,
Animated and directed by Patriotism and Benevolence."

Dr. Thomas H. M. Fendall was a practicing physician in Augusta as early as 1808, and is probably the author of the call made in June of that year for a meeting of the faculty of the city for the purpose of forming a medical association. Dr. Fendall was still alive in 1822, as his name appears as one of the members of "the Medical Society of Augusta Ga.," incorporated in that year.

Dr. Alexander Cunningham, vice-president of the society in 1822, was also a physician of eminence, and was in practice certainly up to 1839, as in that year we find him chairman of the meeting of physicians called to consider the origin of the yellow fever epidemic of that year's summer. We have heard old citizens speak very highly of Dr. Cunningham's professional attainments.

Dr. Anderson Watkins, the first recorded president of the Medical Society of Augusta, was one of the members of the first State Board of Health appointed in 1825.

Dr. John Carter was also a prominent physician of Augusta some half cen-

tury since. He was one of the original board of trustees of the Medical Academy of Georgia, now the medical college. His son, Dr. Flournoy Carter, who died some years since, also stood high in the profession.

Dr. Ignatius P. Garvin lived to a good old age, and has an honorable record. He was one of the original board of trustees of the medical academy of 1828, a colleague of Drs. John Carter, Ford and Antony. For many years, in conjunction with the celebrated Dr. Paul F. Eve, who subsequently removed to Nashville, Dr. Garvin conducted the *Southern Medical and Surgical Review.* He was one of the first faculty of the medical college. In 1848 he was mayor of Augusta, and for a number of years just preceding his death was the city treasurer.

Dr. George M. Newton is a physician who should be mentioned in this connection. He was the stepson of Mr. Isaac Tuttle, who at his death in 1855 left his house on Walker street for an orphan asylum, and endowed it with $50,000, half his fortune. The other moiety he left to Dr. Newton, who, at his death in 1859, left his entire estate, $200,000, to the asylum.

Dr. Louis Alexander Dugas was one of the most eminent physicians ever practicing in Augusta. His father was a French planter of San Domingo, who emigrated to the United States on the insurrection of the blacks in that island, and settled in Wilkes county, Ga., where Dr. Dugas was born in 1806 The doctor was educated up to his fifteenth year by his widowed mother, a lady of great accomplishments, who had been herself educated in Paris. Dr. Dugas at first studied with Dr. Charles Lambert de Beauregard, a French *emigré* physician, and on his death studied with Dr. John Dent. He then attended lectures in Maryland and Philadelphia, and graduated at the medical department of the University of Maryland in 1827. He then studied abroad for three years, and in 1831 began a long and illustrious career in Augusta. At the time Dr. Dugas entered actively on the practice the medical college was an assured fact, and on its organization he was elected professor of anatomy and physiology. Subsequently he took the chair of physiology and pathological anatomy which he held till 1855, when he was elected to the professorship of the principles and practice of surgery, which he held till his resignation from the faculty in 1880. In 1834 Dr. Dugas revisited Europe for the purpose of purchasing a library and museum for the medical college, a fund of $6,000 having been appropriated for that purpose, and from his acquaintanceship in Paris, successfully accomplished his important mission. In 1851 he again visited Europe and in the same year assumed the editorship of the *Southern Medical and Surgical Journal*, the duties of which he acceptably discharged till 1858, the *Journal* taking high rank in the medical press. Dr. Dugas was a voluminous writer on professional topics, and contributed to a number of medical periodicals besides the *Southern Medical and Surgical Journal*, among others *The New Orleans Medical and Surgical Journal* and the *Atlanta Medical and Surgical*

Journal, and several very valuable papers are to be found in the transactions of the American Medical Association, the Medical Association of Georgia, and the International Medical Congress. Dr. Dugas wrote as many as one hundred and twenty-seven papers on professional topics of great interest, a list of which will be found on pages five and six of a valuable and interesting sketch of the life of this celebrated physician, written by Dr. Eugene Foster, of Augusta, president of the Augusta Board of Health, and president of the Medical Association of Georgia. Dr. Dugas paid special attention to surgery, and when Augusta was a great hospital center during the war, containing thousands of wounded soldiers, was the consulting surgeon of the Confederate government. Some of his professional discoveries were of immense value. In particular he furnished a rule by which to ascertain whether dislocation of the shoulder joint exists, a rule which works with mathematical certainty, and should be known as Dugas's Law. It is best stated in its author's own words: "If the fingers of the injured limb can be placed by the patient, or by the surgeon upon the sound shoulder, while the elbow touches the thorax, there can be no dislocation; and if this cannot be done, there must be a dislocation. In other words, it is physically impossible to bring the elbow in contact with the sternum or front of the thorax if there be a dislocation; and the inability to do this is proof positive of the existence of dislocation, inasmuch as no other injury of the shoulder joint can induce this inability." When it is known that prior to the discovery of this law the science of surgery knew no certain method for diagnosticating injuries of the shoulder joint, the service done in this particular by Dr. Dugas can be readily seen.

At the time the report, hereinbefore mentioned, on the causes of the yellow fever in Augusta in 1839 was made, Dr. Dugas was the sole dissentient among the physicians of that day on the point of the fever being of local origin. It was his view that it did not originate in Augusta, but was imported from Charleston in railroad cars, thus foreshadowing what may be called the germ theory, or that yellow fever may be brought into a locality by the introduction of spores.

In his last medical paper, one read before the International Medical Congress in Philadelphia in 1876, Dr. Dugas broached a theory as to the treatment of penetrating wounds of the abdomen which is said to be destined to revolutionize this branch of practice and make recovery the rule and death the exception in these dreadful cases rather than the reverse as is the case now. A wound in the abdomen is commonly regarded as almost inevitably mortal. It was Dr. Dugas's idea that the recognized method of treating such wounds brought on septicæmia, or blood poisoning, and the practice recommended by him was to open the lacerated parts, trim the ragged edges of the wound to a straight edge, and rely upon the healing power of nature to reunite the parts. In enforcing this he says, "Is it not time that we should regard as groundless

the fears heretofore entertained with regard to the danger of opening the abdominal cavity? No change of practice in the class of wounds under consideration can make the chances of recovery less than they are now, and I feel confident that by adopting the plan proposed we would so alter the results as to make recovery the rule and death the exception." Dr. Dugas died in 1884, honored by the people among whom he had so long labored and venerated by the profession he so worthily adorned.

Dr. Lewis DeSaussure Ford was born in New Jersey in 1801, and died in Augusta in 1883. He graduated at the College of Physicians and Surgeons of New York in 1822, and in 1827 settled in Augusta. Here for over half a century he practiced his noble profession with a generous tenderness of heart that makes his name venerated throughout the city. He was emphatically a Good Samaritan. His most prominent trait was benevolence. Day or night, in rain or sunshine, it was only necessary to tell him that a scene of misery and anguish waited his presence, and he hastened to the bedside of the sick poor. Often between the call of Dives and Lazarus, he preferred the latter, where perils were even; if the latter's anguish were greater than the former, the poor man always had his first attention. It was a guiding principle of his life to do good, and daily as he taught the students he inculcated the lesson of unselfish devotion to duty on them. "The virtue of benevolence," he told them, "lies at the foundation, while it forms the crowning glory of the medical character. Without this heavenborn principle, there can be no enlightened appreciation, no devoted performance of the duties of that profession, whose ministrations have been represented by one not of our profession, as a beautiful, but humble, imitation of those of the Divine Providence." The portrait of Dr. Ford, hanging in the gallery of the city's chief magistrates in the mayor's office, sufficiently reveals what manner of man he was. In his long locks and flowing beard, and wise yet merciful eye, the patriarch shines out. Dr. Ford is preeminently known in Augusta as the good physician.

Dr. Ford was one of the founders of the Medical College, and for a few years had the chair of chemistry. After that he had the professorship of the principles and practice of medicine. In manners he was a most polished and elegant gentleman, a true gentleman, one who always pays a due regard to the rights and feelings of others. His literary taste was highly cultivated. He spoke with ease, and had the happy faculty of lightening the burden of a heavy subject with a bright flash of wit, refreshing and strengthening all who heard. With these qualifications he was a most successful lecturer, and what world of good he worked with the two thousand students who sat under him can be imagined.

Dr. Ford was an eminent expert in epidemic diseases, and both in 1839 and 1854 rendered immensely valuable service by his early and accurate diagnosis of the fever then afflicting this city. His reputation in this particular

not infrequently led to his being called to other points to observe and decide as to the nature of doubtful or imperfectly developed febrile affections.

During the war he was surgeon of the first Georgia Hospital in Richmond to the close of the struggle. When called on in 1862 he unhesitatingly journeyed to the Confederate capital, though then sixty years of age, and well entitled to excuse from such onerous duty.

We have said that the speciality of Dr. Dugas was surgery; that of Dr. Ford was the pathology and therapeutics of malarial fevers. The pages of the *Southern Medical and Surgical Review*, from 1837 to 1845 contain a number of papers by him on this subject, which have become classics of the profession on this important subject. It is said that his contributions to medical knowledge in this department are the most important of any physician in America.

Dr. Ford had considerable taste for public life; was for a number of years a member of the city council, and in 1846 elected mayor, and in 1847 re-elected. In the days when the State government was prostrated at the feet of a major-general in the reconstruction era, Dr. Ford boldly and openly aligned himself on the side of civil rule against bayonet supremacy, and twice addressed his fellow-citizens, urging them not to acquiesce in the decrees of the military authorities.

At his death the city council voted to attend his funeral in a body, the leading paper editorially said his history was epitomized in "his unselfish devotion to his fellow men, the alleviation of their physical suffering, the binding up of their spiritual wounds, the promotion of their virtues"; the medical college resolved that it had lost "the revered and beloved Nestor of our faculty."

A third most eminent Augusta physician was Dr. Joseph Adams Eve, born near Charleston, S. C., in 1805, and dying in Augusta in 1886. In manner Dr. Eve was much like his beloved contemporary, Dr. Ford. He was courtesy and kindness itself. The Chesterfieldian bow and polite smile of this venerable physician were institutions of Augusta. We once heard a rough fellow aptly express the general sentiment: "Why, Dr. Eve will take off his hat to any man living." The potent civilizing effect of urbanity had penetrated the mind of even this uncouth observer, and he said what he did in admiration and honor. Behind the formal outward observances of civility lay a kind heart. A tale of distress at once brought Dr. Eve to the rescue.

Having a natural taste for medicine, he studied in the office of the celebrated Dr. Milton Antony, the founder of the medical college, and in 1827 visited Europe and attended lectures there. In 1828 he finished his course and graduated at the Medical College of South Carolina. In conjunction with Dr. Antony he established the Academy of Medicine, which was incorporated, as we have seen, in 1828, and was probably in operation by 1829. It was at first a hospital as well as a medical institute, and was situated where the Widow's Home is now. In 1833, on the organization of the medical college,

Dr. Eve was assigned to the chair of materia medica. In 1839 he was elected professor of obstetrics and diseases of women and children, and held this chair uninterruptedly for the long period of fifty-three years. At the time of his death he was considered by the profession as the oldest active teacher of obstetrics in the world. From his great skill and the many years in which he labored, it may almost be said that he brought half the town into being, and it is a reliable estimate that he attended five thousand obstetrical cases. He was an honorary member of the Boston Gynecological Society, and the American Gynecological Society made him its first honorary member. He was one of the founders of the Medical Association of Georgia, and in 1879 was unanimously elected its president. At one time he edited that famous publication, the *Southern Medical and Surgical Journal.* Preferring, as he expressed it, "to wear out rather than rust out," Dr. Eve continued in practice to the last. Of the remarkable strength of his memory we well recall one instance coming under our personal observation. We had occasion, in a legal matter involving descent, to call on him for information as to the dates of the death of several persons, deceased many years before. After a moment's reflection he gave the desired data, but said, to make sure, he would have his old journals looked up. This being done, the facts were found, as he stated, though for forty years, no doubt, his attention had not been called to these cases.

One remarkable fact in the history of the medical profession in Augusta is the frequency with which the sons or near relatives of leading physicians have themselves adopted the profession of medicine. Thus Dr. Edwin L. Antony graduates in 1835 at the medical college; Dr. Milton Antony, jr., in 1845, and Dr. Decourcy Antony in 1851. Dr. Henry F. Campbell graduating in 1842, is followed in 1847 by Dr. Robert Campbell, jr., and in 1872 by Dr. A. Sibley Campbell Dr. John Dent, a contemporary of Dr. Milton Antony, is followed by Dr. John M. Dent in 1856. Dr. W. H. Doughty graduating in 1855, is followed by Dr. W. H. Doughty, jr., in 1878. The venerable Dr. Joseph A. Eve saw no less than seven of his name or family graduate: Drs. Edward A. Eve in 1833, Sterling C. Eve in 1861, W. R. Eve in 1867, Joseph E. Eve in 1872, E. J. Eve and W. H. Eve in 1875, and Joseph Eve Allen in 1877. Dr. L. D. Ford had two sons adopt his profession, De Saussure Ford in 1856, and Dr. Lewis R. Ford in 1870. Dr. Louis A. Dugas was followed by Dr. George C. Dugas in 1873, Dr. Alexander E. Dugas in 1875, and Dr. W. H. Dugas in 1879. Of Dr. Flourney Carter, son of old Dr. John Carter, we have previously spoken.

There could be no stronger testimonial to the personal and professional worth of the physicians of Augusta than this family tendency to pursue the profession of medicine. Of the present faculty of Augusta it is not in the scope of the present sketch to speak, but in point of skill they lose nothing in comparison with the worthies of the past. As an old writer quaintly puts the

confidence reposed in a good physician, "there is healing in the very creak of his shoes as he comes up the stairs."[1]

CHAPTER XXV.

THE PRESS.

The Augusta *Chronicle* — Established in 1785 — Its Editors for a Century — Smith (1785) — Driscoll (1807) — Bevan (1821) — A Semi-Weekly — Harmon (1822) — A Tri-Weekly — Hobby (1824) — Pemberton (1825) — Jones (1837) — A Daily — Colonel James M. Smythe (1846) — Dr. Jones (1847) — Morse (1861) — General A. R. Wright and Hon. Patrick Walsh (1866) — H. Gregg Wright (1877) — James R. Randall (1883) — Pleasant A. Stovall (1887) — The *Chronicle* of 1790 — Its Appearance, News, Advertisements, etc. — *Chronicle's* Centennial — Honorable Record — The Augusta *Herald* — The *Constitutionalist* — Colonel Gardner — *Southern Field and Fireside* — *State's Rights Sentinel* — The *Mirror* — The *Republic* — The *Evening News* — The *Progress* — The *Free Press* — The *Banner of the South* — The *Pacificator* — The *Southern Medical and Surgical Journal* — Veteran Newspaper Attaches.

THE Augusta *Chronicle* is the oldest paper in Augusta, and also the pioneer in the journalistic field of this city. It was established in 1785, under the name of the Augusta *Chronicle and Gazette of the State*. This title, the *Chronicle*, the paper has retained ever since, though from time to time during the century, as it absorbed contemporary journals, the latter portion of the name has undergone change. In 1821 it became the Augusta *Chronicle and Georgia Gazette*. In 1822 the style was altered to Augusta *Chronicle and Georgia Advertiser*. In 1835 it appeared simply as Augusta *Chronicle*. In 1837, having absorbed the *State's Rights Sentinel*, a paper edited by the famous Judge Longstreet, author of "Georgia Scenes," it appeared as a daily newspaper, under the style of *Daily Chronicle and Sentinel*, which name it retained until 1877, when, having absorbed the *Constitutionalist*, its rival for more than eighty years, it appeared as the *Chronicle and Constitutionalist*. In 1885 it dropped the latter portion of this title and took the style of the Augusta *Chronicle*, which it now bears.

The Chronicle was first edited and published by John E. Smith, State printer, for a number of years. The paper was at that time a weekly of small di-

[1] For valuable assistance in the preparation of this sketch we are indebted to Dr. Edward Geddings, dean of the Medical College of Augusta, and son of the celebrated Dr. Geddings, of Charleston, mentioned in the discussion on yellow fever; also to Dr. Eugene Foster, president of the Augusta Board of Health and Medical Association of Georgia; and to Dr. Henry F. Campbell, one of the most eminent physicians in the United States.

Engd by [illegible] Bernan & Co. N.Y.

mensions and we give some sketch of its appearance, contents, etc., later on in this article.

The next editor was a Mr. Driscoll, a native of Ireland. In the heated political contests of the era of President Adams Mr. Driscoll was a pronounced anti-Anglican, favoring the French side in politics and exhibiting great animosity toward England. The Augusta *Herald*, *The Chronicle's* contemporary of that time, was as strongly the other way, and between Mr. Bunce of the *Herald*, and Editor Driscoll of *The Chronicle* heavy journalistic firing ensued. Finally, in a tart card, Mr. Driscoll informed his opponent the discussion had better be adjourned "to the Lower Market or South Carolina," and on these hostile intimations peace seems to have resumed its sway. Mr. Driscoll was a journalist of considerable ability, and as early as 1807 we find a decided improvement in the art editorial. The markets begin to receive attention, local items and general news are made separate departments, and great attention is paid to "leader" writing, as if there began to be a desire to mold opinion as well as record events.

In 1821 Mr. Joseph Vallence Bevan assumed the editorial chair. This gentleman was a man of fine literary attainments, and at one time contemplated writing a history of the State. The General Assembly voted him the use of the archives for that purpose, but his untimely death intervened. Under Mr. Bevan the paper was enlarged and much improved. Its editorials were well written, and the whole paper began to assume something of a modern journalistic air. Under Mr. Bevan *The Chronicle* began to appear as a semi-weekly.

Toward the end of 1822 John K. Charlton, Andrew Ruddel, and John B. Lennard became proprietors, and Mr. T. S. Hannon, editor. Mr. Hannon made the paper a tri-weekly, but in 1824, at which time William J. Hobby took charge, it was reduced, to a semi-weekly.

In 1825 Mr. A. H. Pemberton became proprietor and so remained for a number of years. Under Mr. Pemberton the paper was nearly of its present size, but in a single sheet. Great attention was paid to its literary department and much space given to correspondents. For some ten years Mr. A. H. Pemberton managed the paper alone; in 1835 he associated his brother in business with himself, as A. H. & William F. Pemberton. On December 31, 1836, the Pembertons sold out to Mr. William E. Jones, proprietor of the *State's Rights Sentinel*, who merged the papers, and on January 3, 1837, issued the first number of the *Daily Chronicle and Sentinel.* In venturing on such an untried experiment in Augusta as a daily paper, Mr. Jones remarked that he did so with some diffidence, but no apprehension. The time, he thought, was opportune and the future would sustain his venture.

In 1839 Mr. Jones formed the firm of William E. Jones & Co., which was succeeded in 1840 by two brothers, James W. and William S. Jones, the former of whom acted as editor for a number of years. Mr. James W. Jones was a

writer of great vigor and determination, ardent in announcing and steady in maintaining his opinions. In the heated political discussions of the day he became involved in a controversy with Colonel James Gardner, of the *Constitutionalist*, and a duel ensued.

In 1849 Dr. William S. Jones bought out the interest of James W. Jones in the paper, the latter continuing, however, to act as editor. About this time we first find telegraphic dispatches in the paper. The issue of January 1, 1849, has a dispatch which is said to have left New York on ten o'clock on Friday night, and to have been received in Augusta on Saturday afternoon. It appears in the paper on Monday morning, or some sixty hours after; but slow work as this appears now, it was a wonderful improvement then. About this time we also find the telegraph was in operation at various points in Georgia, and the Baltimore papers are quoted with very full telegraphic intelligence from Boston and the West.

In 1846 Colonel James M. Smythe, a gentleman still a resident in Augusta, edited the paper, and with great ability, being one of the best informed politicians in Georgia.

During the war Dr. Jones disposed of *The Chronicle* to Mr. N. S. Morse, of New York. Dr. Jones's name is inseparably connected with *The Chronicle*, which he managed with signal ability for a period of over twenty years. He died a few years since, honored and revered by all who knew him. His work still lives in the sturdy journal he so long fostered, and his portrait, as that also of his no less celebrated brother, James W. Jones, adorns the walls of the editorial sanctum.

Mr. Morse conducted the paper to 1866. In politics Mr. Morse was eminently a Morse man. During the war he was ardently Southern. When the Federal military forces entered Augusta he burned or secreted the files of the paper for the eventful period 1861–65, and became intensely loyal. In personal appearance Mr. Morse was a remarkable compound. His face round as an apple, and bright and rather protruding eyes gave him a boyish appearance; but, as if to disguise this, he wore a mustache of portentous magnitude, bristling stiffly out at either side of his nose, *a la* Victor Emanuel. In character he was equally composite. His real disposition was that of good humored selfishness, but he affected the wild Western Bill style of deportment to a great extent. One of his manias was a love of bright arms, and we well recall the huge revolver and preposterous bowie-knife he especially cherished. Mr. Morse afterwards removed to New York and managed the *Evening News* there with wonderful success up to his death, a few years since.

On March 24, 1866, Mr. Henry Moore and General A. R. Wright came into possession of the paper. In November of this year Mr. Patrick Walsh became connected with *The Chronicle*. Mr. Moore was a prominent citizen of Augusta, who by his business tact and experience did much to sustain the pa-

per during the troubled years just after the war. Mr. Moore was one of the kindest and most generous of men. He it was who advanced the money to purchase *The Chronicle* from Mr. Morse.

General Ambrose R. Wright is one of the celebrated men of Georgia. During the war he rose to the rank of major-general, being particularly eminent for his impetuous gallantry. After the war he edited *The Chronicle* up to the time of his death, which occurred under peculiarly afflicting circumstances. He had just been elected to Congress from the Richmond district, thus realizing one of the brightest dreams of his life, but the exertions of the canvass threw him into an illness which proved fatal.

Up to May 1, 1873, *The Chronicle* was owned jointly by Mr. Henry Moore, General A. R. Wright, and Hon. Patrick Walsh, but at that time Mr. Moore sold out his interest to Hon. Patrick Walsh and H. Gregg Wright, son of General Wright, the latter assuming the editorial chair. Mr. Wright possessed marked journalistic ability, and soon ranked with the foremost of the editorial profession. In addition to great talent he had an unusual degree of industry and practical experience. His influence had already been felt throughout the State, and his writings quoted throughout the country; the county had sent him several times to the General Assembly, and a bright future was before him when his days were brought to an untimely end.

In March, 1877, *The Constitutionalist*, *The Chronicle's* rival for some fifty odd years, became merged with it, and the paper for a number of years thereafter appeared as *The Chronicle and Constitutionalist*. Shortly thereafter it became the property of an incorporated company, of which Hon. Patrick Walsh was and is still president. Up to about 1887 James R. Randall, the world-wide famous author of "Maryland, my Maryland," edited *The Chronicle* with signal ability. Since his retirement Mr. Pleasant A. Stovall, a gentleman of well established journalistic reputation, has edited the paper.

The oldest copy of *the Chronicle* extant bears date Saturday, October 9, 1790. It is a small affair, its pages eight by fifteen inches, and but four in number. It was published weekly, and the caption reads as follows: "GEORGIA. The Augusta Chronicle and Gazette of the State. Freedom of the press and trial by jury shall remain inviolate. Constitution of Georgia. Augusta. Printed by John E. Smith, printer to the State. Essays, articles of intelligence, advertisements, etc., will be gratefully received, and every kind of printing performed." The advertisements are, comparatively speaking, numerous. Proposals to supply the United States troops with rations for the year 1791 are advertised for, the ration consisting of one pound of bread or flour, one pound of beef or three-quarters of a pound of pork, and "one gill of common rum." Notice is given of administration by Robert Watkins, the author of "Watkin's Digest of Georgia Laws," of which we speak in our account of the Augusta legal profession, on the estate of John Walton, one of the three

signers of the articles of confederation on behalf of Georgia. A merchant advertises that he has Jamaica spirits at five shillings and threepence per gallon. "Northward rum," probably what was afterwards called New England rum, at three and ninepence, cherry bounce at six shillings, almonds at one and twopence per pound, coffee at one and nine, and imperial Hyson tea, evidently then a very great luxury, at eleven and eightpence. Curiously enough, while the other quotations are in sterling, Geneva, in cases, is quoted in Federal currency; at six dollars and a half per case. Another merchant advertises he is about to start on a voyage for Europe, and will undertake the sale on commission of "tobacco or merchantable indigo," then staple products in Georgia, the cotton era not having then dawned. George Walton, the celebrated patriot and jurist of Georgia's Revolutionary period, gives notice of somebody's old bay horse having been taken up trespassing in his fields. Mr. Editor conjures and adjures his delinquent subscribers to pay up, quite in the style of the country editor of to-day, and says hereafter no work can be taken from his office till cash down. The local news is scant. Results of the recent election for members of the Legislature from Richmond county, which then included Columbia, are given, by which it appears that the country was then entitled to four members, and that the following were elected by the votes respectively attached to their names: Seaborn Jones, 566; James Lewis, 538; Benjamin Andrews, 508; and Solomon Ellis, 476. None but landowners being then competent to vote, the polls show a very substantial population at the time. Among the unsuccessful candidates were Benjamin Few, Thomas Carr, Jesse Sanders, John Appling, Charles Crawford, W. F. Booker, and Peter Carnes.

One death is noted, that of an infant of eight months, whom the editor compliments with the following quotation:

> "Happy the babe who, privileged by fate
> To shorter labor and a lighter weight,
> Received but yesterday the gift of breath,
> Ordered to-morrow to return to death."

In the news department is a considerable collection of items for so small a vehicle. Advices of June 5, 1790—only four months and four days old—from Berlin state that the Duke of Sudermania had put the Russian fleet to flight before Revel, and rushed pell-mell into the harbor with them, thereby taking it. Paris news of June 21 is that the title of the king is to be Emperor of the French, the national assembly dignifying Louis XVI. preparatory to guillotining him three years later. The assembly also abolished the titles of "marquis, compte, and duke." London advices of June 7 say the admiralty has revoked all protections against impressment, it being indispensable to man the *Hannibal*, the *Royal George*, and other ships of the line at once. At Carls-

croon the Swedes are cleaving out of the solid rock docks large enough for twenty men-of-war. The emperor of Morocco falls out with the Spanish consul, and, on the ground that "it was not consistent with the etiquette of his court to hang him in effigy," ties the poor man to the tail of a wild ass, which is hunted till furious, and from this situation the consul is taken only to be hanged. War is brewing between England and Spain, and the latter provides herself with some huge ships, carrying 124 to 140 guns. The Turkish grand vizier at the head of 120,000 malignant and turbaned Turks, is advancing on Widdin; and the Prince of Saxe-Cobourg—some ancestor of Prince Albert, is to give him battle. New York advices of July 14—a few days short of being three months old—contain a report of the three United States commissioners to negotiate a treaty with the Creeks, explanatory of their failure, which is attributed to "their principal chief, Mr. Alexander McGillivray." They further report that the treaty of Augusta in 1783 and other compacts with the Indians were conducted as understandingly as possible "where one of the contracting parties is destitute of the benefits of enlightened society." Advices of September 2, from Philadelphia, give the progress of President Washington from New York, then the capital of the United States, to Mount Vernon, in the style of the present court journals of Europe. He was accompanied to his barge by the governor of New York, the principal officers of government, the mayor and corporation, officers of the city, and a number of citizens. "On the departure of him whom all hold so dear, the heart was full, the tear dropped from the eye; it was not to be restrained; it was seen; and the president appeared sensibly moved by this last mark of esteem for his character and affection for his person." On the approach to Philadelphia of "The president of the United States, his lady, and their suite," they were met by "a number of respectable citizens, the city troops, and companies of light infantry, who, on this occasion, as well as others, all testified their affection for the benefactor of mankind. Every public demonstration of joy was manifested, the bells announced his welcome, a *feu de joie* was exhibited, and as he rode through town to the city tavern, age bowed with respect and youth repeated in acclamations the applause of the hero of the western world!" A banquet is tendered his excellency by the Legislature and "by the president and other executive officers of Pennsylvania, at which reason, valour and hospitality presided."

The poet's corner is not forgotten in the *Chronicle* of 1790. The editor states that an ode to Washington will appear in his next, and in the current issue gives "Lothario's" tribute to "Miss W——ll, a specimen whereof is:

> "Sweetest syren of the Augustan stage,
> Adored by youth, respected by old age,
> Permit me now to sing in homespun lays,
> Thy charms divine—that all who know must praise."

The poet incautiously reveals the identity of his inamorata in his closing lines:

"Thy lovely taper waist, how round and small;
Here language faints. I sigh with Jove for Wall,
With her I'd live—with her I'd wish to fall."

A poet of another character appears among the paid advertisements. He tells in doggerel how some spiteful neighbor had charged him with filching a bell, and how on the trial he came clear:

"This advertisement is to tell,
Near Harden's Creek that I do dwell,
One of my neighbors did falsely tell
That I of him had stole a bell.

. . . . . .

His witness was one Samuel Pope,
A fellow that deserves a rope.
No doubt but they may hear this bell
A-ringing loud when they're in ——," etc., etc.

From this crude picture of the times, it is quite a change to turn to the *Chronicle* of the present day, after one hundred and four years of development, journalistic and otherwise. During its long existence, the *Chronicle* has an honorable record. In its centennial edition published in 1885, it thus speaks:

"A newspaper one hundred years old! A gazette that for three generations has, in its each recurring issue, set out the current history of the day, and been read in each succeeding epoch by grandsire, by father, and by son. A contemporaneous annalist of the times, keeping pace with decades and lusters until a century is complete. "Such is now *The Augusta Chronicle*. In the museums of old established governments and in the libraries of journalistic virtuosos may be found here and there such wrecks and remnants of the past as a stray copy of some venerable *Gazette* or antiquated *News-Letter*. As rare and curious relics, there still exist London papers which Addison might have read, and German journals wherein Gustavus Adolphus, the Lion of the North, may have seen recounted the valorous deeds of his invincible pikemen. Even in America are sundry ante-Revolutionary *Post-Boys*, and *Mails*, and *Clarions*, full of fealty to his majesty, and scarcely less obsequious to Sir Somebody Highstyle, colonial governor and vicegerent of the crown.

"But all these are among the have-beens of the world. Like the poet's days by-gone, they are but 'death in life.' The chance which has preserved to us, here and there, some mummied Egyptian has spared likewise such antique specimens of typography; the cerements of the one and the discolored columns of the other speaking the same melancholy language—we are not, but we were!

"It is different with this paper, whose centenary we celebrate. A hundred years ago it told, in feeble fashion, of the world and its ways. Each year of that hundred since—*vires acquirescit eundo*—gathering new strength as it went along, it still recounted the story of its times; and now, reversing the usual order of things earthly, and finding increase of vigor in increase of age, it tells, each morning, what happened yesterday the wide world over, from China to Peru. The thumb paper of 1785—brief, jejune, primeval—a mere suggestion of a newspaper rather than a newspaper itself, and our modern daily, panoplied with every appliance of journalistic science, are alike *The Chronicle*. At no time in that century have its types lain idle or its presses ceased to move. Come peace or war, health or pestilence, prosperity or panic, out at its appointed period came the paper, to say by its bare issual more powerfully than any words could—I still live! There was a time when the dark wing of Azrael hovered over the palid, fever-stricken city, but *The Chronicle* men of that day stood steady as a stone wall. Day after day the paper came forth, here with a list of yesterday's dead, and here with words of hope, comfort and courage for the bereaved and terrified living. Then, as the scourge increased in virulence, the printers fell, one by one, at their very stands, until, with an apology—as if, brave soul, he needed to make any—the editor of that day announced he could only issue his paper intermittently. First there was a lapse of three days, then it was a week, then it lengthened into a fortnight; then the pestilence redoubled its violence, and the spirit of the people and paper was almost spent. Still, in pathetic tones, the editor exhorts the stricken city once more to hope, and faith, and patience. The cleansing rain, the cooling breeze, the all-important frost cannot now, he urged, be so far off.

"And at length the scourge ceased. One in five, a double decimation, had felt its cruel lash.

"There was another time, when the drums beat savagely for war. Food for powder grew scarce. The cradle and the grave were robbed to fill the ranks. Man, essentially a fighting animal, went mad at the steady roar of the guns and the angry flap of the flags. Persistent industry was a thing of the past, and skilled industry all but unattainable. Add to this that a mighty fleet lay like an iron wall between this land and the outer world. If a tool broke who could replace it? When material was exhausted, what the source of supply? The work of a daily journal is a curious mosaic—grand and beautiful in result, but that result dependent on a thousand ordinarily unconsidered particulars. In this time of battle each of these unconsidered particulars forced itself into notice. The air we breathe is so common we only appreciate its value from its loss. The mechanical appliances of our time are so much a matter of course that we never estimate them truly till we look for them, and, looking, find them not.

"Scant of men, scant of means, industrial life languished in the South of

twenty odd years since, and Southern journalism fairly starved. But the difficulties of that period daunted our predecessors not. If printers could not be found, they were made; if new type could not be had, the veterans of the past were furbished up and set to work again; if your fine, white, double extra, improved printing paper had become a mere historical reminiscence, there was enough of that memorable, dingy, home-made, cartilaginous, saffron-hued product, known as Confederate paper, to take the impress of the type.

"Amid the war, as through the pestilence, *The Chronicle* came out promptly at the appointed day. And, as with war and pestilence, so with financial panic. Our file room is the mausoleum of many rivals of a day. In the morning they sprang up; in the evening were cut down as grass, and gathered into our barn. Peace to their names; of them we further speak not—*parcere subjectos*. Safely entombed, as they are, in our own private crypts, we refer to them only in order to say that, while these fell by the wayside in the usual financial vicissitudes of a century, we have survived, breasting each panic, shunning each monetary rock and shoal. Some of our fallen contemporaries succumbed to "the pressure of circumstances" eighty or ninety years ago; some a half century since; some in more recent times. At each recurring financial stress in the past century, some originally hopeful journalistic project proved unequal to the strain; and, gathering its files, and its material into our garner, we still pursued the tenor of our way—perhaps, though our modesty blushes to assign that as the reason, because of the survival of the fittest."

Some of the editors of the *Chronicle*, notably in later years when the slavery agitation had ceased to be the burden of newspaper song, have rendered signal service to the cause of humanity, morality, and good government. Mr. H. Gregg Wright was an exceedingly attractive and forcible writer, and systematically devoted his great abilities to discountenancing dueling and lynch law. His ridicule of the one and denunciation of the other were unremitting. He steadily iterated and reiterated the great truth that no people can truly prosper who do not cherish an abiding faith in and reverence for the majesty of the law. His early legal training was of much assistance to these efforts.

James R. Randall, who succeeded Mr. Wright, was the unsparing foe of infidelity and immorality. No fashionable glamour could conceal from his rebuke offenses against modesty and goodness. No high-sounding scientific phrases could delude him as to the real nature and end of atheistical theories. It was his custom to make his editorials on Sunday mornings a sort of lay sermon, in which the beauties of goodness and the loveliness of celestial faith were garbed in the brightest colors of a poet's fancy. There was nothing pedantic or patronizing about these admirable articles. They came from the heart and went to the heart.

Under the editorial charge of Hon Patrick Walsh, the *Chronicle* has not only maintained the salient lines of the policy pursued by Mr. Wright and Mr.

Randall, but has been of incalculable value to the material interests of the city. The advantages of Augusta as a cotton market and manufacturing center have been enforced and illustrated in so many ways, with such forcible arguments, and by so much patient, well-directed, and persistent labor, that the growth of the city in these particulars is heavily indebted to Mr. Walsh's sagacious policy.

The Augusta *Herald* was established at a later period than *The Chronicle*, but before the close of the eighteenth century, and was for a long time conducted by John Bunce and then William J. Hobby. The *Herald* was a strong Federalist sheet in the days of John Adams, the Black Cockade era, and so on, and many were the editorial skirmishes growing out of these antique politics between it and the *Chronicle*. In course of time the *Herald* gave way to the *Constitutionalist*, first issued as a tri-weekly in 1822. From about 1850 the *Constitutionalist* was edited with singular ability by James Gardner, one of the most influential politicians of his day. The contest of this gentleman for the Democratic nomination for governor in 1857 is one of the most celebrated in the political annals of the State. Mr. Gardner was ultimately defeated by Hon. Joseph E. Brown, and returned to the charge of the *Constitutionalist*. Under his management the influence of this paper throughout Georgia was wonderful. Mr. Gardner continued to conduct it till towards the close of the war. At that time Mr. James R. Randall became editor, and for some of his vehement articles the paper was silenced by the military authorities. Publication was soon resumed, and Mr. Randall continued to edit it until its merger into the *Chronicle and Sentinel* in 1877.

For a number of years *The Southern Field and Fireside*, an agricultural and literary paper of a high order of merit, was published in conjunction with the *Constitutionalist*. It lived through the war, a most crucifying ordeal for a Southern newspaper, especially of a literary character, and was finally sold in 1865 to a Mr. Smith of Raleigh, N. C., where it was continued for a time. Some of the most eminent of the Southern writers contributed to this publication.

The State's Rights Sentinel, originally established by the celebrated Judge Longstreet, author of "Georgia Scenes," has already been mentioned. After a short existence it was merged in *The Augusta Chronicle and Georgia Advertiser*, which then became *The Chronicle and Sentinel*, a name it retained for forty years. The *Mirror* and *Republic* were also papers which flourished for a time in Augusta. A very interesting account of Augusta journalism was written some few years since by Colonel James M. Smythe, for a number of years editor of the *Chronicle and Sentinel*. We quote a portion :

"Readers will excuse the writer for any allusion to himself, for that is made necessary by his connection for a time with *The Chronicle* as one of its editors, and with four other newspapers which were published in the city of Augusta. He moved from Washington Ga., to Augusta in the spring of 1846, and commenced his work on the *Chronicle and Sentinel* on the fourth day after his arrival.

The *Chronicle* had been a leading paper in Augusta for sixty years. The writer remembers how often, when a boy, he saw the tall figure of Mr. Philip C. Gieu moving about in the office of the *Washington News*. At that time we doubt if there was a place in Georgia in which, for the number of its population, there could be found so many persons of culture, refinement, learning, and all that could add a charm to social intercourse in the town and surrounding country. There were the Gilberts, the Alexanders, the Toombs, the Campbells, the Telfairs, the Longs, the Remberts, the Tolberts, the Abbots, the Bairds, the Hills, the Ervines, the Sims, the Popes, the Barnetts, and many more, making in the town and country a refined and intellectual population unsurpassed in any section of the State or country. It was such a people who induced Mr. Gieu to remain so long as publisher of the *Washington News*. But with all that learning and intelligence, there was not patronage enough to meet the ambitious longings of so able a journalist as Philip C. Gieu, and he moved to Augusta and established the *Constitutionalist*, which existed separately as a powerful journal until its connection, a few years since, with the *Chronicle*.

"We cannot omit a reference to that journalistic star, which, for some years long ago, emitted its splendor under the management of the late gifted John G. McWhorter. The beams of the *Mirror* shone brightly for a time under the management of Major Thompson, the gifted author of "Major Jones's Courtship."

"Confined to a brief space, we must omit all extended notice of the long ago papers, and confine our remarks to what we saw and experienced after our removal to Augusta. Colonel James Gardner had become the proprietor and editor of the *Constitutionalist*. We frequently crossed swords with him in political discussion, but, as old college friends, however, we may have intrepidly and vigorously advocated the views and principles of our respective parties, we met as friends and exchanged civilities. Rash, passionate, and presumptuous as Gardner was as an editor and politician, in our discussions he exhibited uniformly to us a marked courtesy which was similarly extended by us to him, so that we never needed an umpire to settle our differences and disputes. During the latter part of the year 1847 we thought we saw something apparently cruel and perfidious in the course of the Whig party at the North, which excited our distrust and apprehension. There were some differences between the writer and the proprietors of *The Chronicle* which led to a mutual desire for separation. The writer did not doubt the integrity of the Southern Whigs, but the Northern Whig sentiment we believed was becoming abolitionized, and after retiring from the *Chronicle* the writer established a paper of his own called the *Republic*. Some Whigs charged us with being about to desert the Whig party. Many Whigs and a good many Democrats came to the support of the *Republic*. Day by day we received letters with names and money; and to be brief, the *Republic* obtained near 4,000 subscribers in about three years.

Time sustained the truth of our suspicions. The Southern Whigs saw the dilemma they were in. Charged by some Whigs with being a deserter, we sold the *Republic* and its list to Colonel Gardner for $7,500, and became one of the editors of the *Constitutionalist and Republic*, at a salary of $2,000 per year. It is sufficient to say that the Whigs all joined the Democratic party. Some of the Whig leaders said to us: 'Smythe, you saw the truth a little sooner than we did, and we must all unite and go out of the Union and establish a Southern Confederacy.'"

Colonel Smythe speaks very handsomely of *The Evening News*, saying: "A few years since Messrs. W. H. Moore, James L. Gow, and John M. Weigle formed a copartnership to establish in Augusta a paper entitled *The Evening News*. We had confidence in their success; first, because we had learned enough of Mr. Moore to know that he possessed much ability as a journalist and writer, and in Mr. Gibson's aptness to sustain him; and, secondly, the people of Augusta were very generous in sustaining papers which were printed in Augusta. We found this latter opinion out thirty years ago in the generous liberality which they extended to the writer. They subscribed with great liberality for his paper, and filled it with paying advertisements. It turned out as we expected, and *The Evening News* has been established upon a generous and liberal basis. Nearly everybody takes the paper, and a glance at it shows how it is appreciated as an advertising medium. It is eagerly sought for upon its merits as a newspaper, and its superiority as a society paper."

Mr. John M. Weigle, one of the founders of *The Evening News*, has since retired from that journal, and now publishes a very readable weekly called *The Progress*.

Just after the war Mr. E. H. Pughe established *The Free Press*, which flourished for some years, and was noted for its enterprise in the collection of news, and the typographical neatness of its appearance.

The Banner of the South was also published for some years after the war by Hon. Patrick Walsh. It was a literary and religious weekly, and to it Mr. James R. Randall and Rev. Father Ryan contributed some beautiful poetry. "The Conquered Banner" of the latter, and "Why the Robin's Breast is Red" by the former, first appeared in this journal. Mr. Walsh also published for a time, about the close of the war, *The Pacificator*, a publication on about the same line as its successor, *The Banner of the South*.

The Southern Medical and Surgical Journal, spoken of more fully in that portion of this work devoted to the medical profession, was published in Augusta from 1845 until some years after the close of the war, and was of high repute in its peculiar field.

Two papers are published in Augusta in the interests of the colored population. One is the *Sentinel*, a political journal, edited by Prof. R. R. Wright; the other, a religious paper, *The Georgia Baptist*, edited by Rev. W. J. White.

The Georgia Baptist is untiring in its efforts to elevate and improve the colored people mentally and morally, and wields a great influence among them.

In 1885 *The Sunday Phœnix* began publication. It was well printed, well edited, and a very interesting and readable sheet, but the experiment of a purely Sunday issue does not seem to succeed except in a large city, and the *Phœnix* soon suspended.

For a time the labor interest published *The Globe and Lance*, which was edited with vigor, but having only a limited constituency, was discontinued about a year since.

The Augusta Gazette, started as was generally supposed as a rival to the venerable *Chronicle*, soon went the way of the other competitors which have entered the lists against that ancient paper at various periods in its prolonged career.

No sketch of Augusta journalism would be complete without some account of those who, while not in the editorial department, have been remarkable for long and faithful service. Mr. John L. Stockton, now deceased, was for a number of years manager of the *Constitutionalist*. He was a man of many peculiarities and even eccentricities, but was gifted with sound judgment and much executive ability. The difficulties under which Southern journalism labored during the war were extremely trying, but Mr. Stockton not only maintained the *Constitutionalist* in good working order, but kept up the *Field and Fireside*, a much more difficult matter.

Captain George B. Adam was for thirty years bookkeeper of the *Chronicle*, and only resigned that position because elected treasurer of Richmond county and bookkeeper of the Augusta, Gibson and Sandersville Railroad Company. During the yellow fever epidemic of 1854 Captain Adam remained at his post in the *Chronicle* office. During the war he was absent in the field commanding the Clinch Rifles, one of the city's historic companies, but at the conclusion of hostilities resumed his position of trust and confidence.

Mr. Edward C. McCarty, and his brother, Mr. Jeremiah McCarty, the former now bookkeeper, and the latter collector of the *Chronicle*, have been in the employ of that paper for a quarter of a century.

Mr. John Anderson, foreman, has spent his life in the composing room of the *Chronicle*, excepting the four years of the war when he served as a valiant soldier under the Confederate flag. Mr. Anderson began as an apprentice boy, and rose step by step to the important position he now holds, one of prime importance in the organization of a newspaper.

CHAPTER XXVI.

SOCIAL, SECRET, LITERARY, AND BENEVOLENT SOCIETIES.

The Drama— Commercial Club—St. Valentine Club—Scheutzen—Gun Club—Irish Organizations—Jockey Club—Tournaments—Bicycle Club—Athletic Association—Poultry and Pet Stock Associations—Society for the Prevention of Cruelty to Animals—Origin and Good Work—Widow's Home—Women's Christian Temperance Union—Ministerial Association—Orphan Asylum—Library—Sheltering Arms—Hayne Circle—Confederate Survivors—Drummers—Grand Army of the Republic—Catholic Knights—Masons—Odd Fellows—Knights of Pythias—Good Templars—Miscellaneous Organizations—Colored Organizations.

AS early as 1790 the drama seems to have been an established institution in Augusta. An actress named Wall was a great favorite, and in the poet's corner of that day is eulogized as 'sweetest syren of the Augustan stage." It does not appear, however, that there was any theater building till 1798, when one was erected on the river bank, or Bay street, near Elbert, or the old court-house there situate, was so used. This was destroyed by fire in the fall of 1808. The fire was supposed to have been of incendiary origin, and the city council offered a reward for the detection of the criminal. In December, 1808, Robert McRae, Richard Wilde, Daniel Macmurphey, Samuel Hale, Abraham A. Leggett, Henry L. McRae, John U. Shinholster, Joseph W. Jarvis, James Wilde, Zachariah Rossel, Daniel Savage, Willoughby Barton, Albert Brux, Thomas I. Wray, and John B. Barnes were incorporated as "The Thespian Society and Library Company of Augusta," and appear to have rebuilt the theater in the same place, where it continued till 1823. Tradition relates that the elder Booth, Thomas Althorp Cooper, and other noted actors performed there. From an aged citizen, now deceased, we have heard one reminiscence of this ancient dramatic seat. Having labored for nearly a score of years on his invention, Mr. William Longstreet, in 1808, exhibited a steamboat on the Savannah River opposite Augusta. From lack of means or skilled workmen, Mr. Longstreet was unable to construct his machinery of iron, according to his original design, and compelled to rely largely on wood. The use of this material and the natural defects of all infant discoveries, made the boat present a crude appearance, but in spite of these drawbacks it demonstrated that a vessel could be propelled through the water by steam. As usual, the inventor came in for a fair share of that ridicule awarded the world's benefactors at first, and an actor of the day, catching at the ludicrous side as usual with his calling, sang a song in the old theater, a verse or two whereof has been preserved:

"Can you row the boat ashore,
Billy-boy, Billy-boy?
Can you row the boat ashore,
Gentle Billy?
Can you row the boat ashore,
Without a paddle or an oar,
Billy-boy?"

Tradition relates that Mr. Longstreet was in the theater when this precious effusion was first warbled, and nettled alike at the song and the titters with which it was greeted, rose from his seat, fixed a glance on the son of Thespis, which caused the notes to die away in his throat, and majestically strode out of the building.

On the burning of the Bay Street Theater in 1823, Dr. McWhorter erected another on Ellis street, near Centre, which was destroyed in the great fire of April 3, 1829, which laid a large part of the city in ashes. In this theater Joe Jefferson played at the outset of his now famous career.

In the next year William W. Montgomery, Thomas I. Wray, Jacob G. McWhorter, Francis Ganahl, and Benjamin Baird were incorporated as the Augusta Theater Company, and built another theater on Ellis street, between Jackson and Campbell, for many years known as the Augusta Opera House, though originally termed Concert Hall. This theater was, in turn, destroyed by fire in 1881, and, though rebuilt, was finally devoted to business purposes, the theater taking up its quarters in the Masonic Hall, as rebuilt in 1881. On the destruction of this building by fire in February, 1887, a new Theater Company was formed, and a handsome new theater erected on the corner of Jackson and Greene streets For some years past Mr. Sanford H. Cohen has been the recognized head of theatrical amusements in Augusta. His abilities as a manager have been so successful that no difficulty was found in organizing the company which owns the present theater, a building up to the best order of modern theatrical architecture and appointment.

The Commercial Club was founded in 1883, and is a solid organization, occupying among the gentlemen of Augusta about the same position in point of social reunion as the English clubs.

The St. Valentine Society is an organization which, like the famous Mardi Gras associations of New Orleans, confines itself to an annual celebration of the carnival. The St. Valentine ball is the social event of the Augusta season, and admission thereto is a certificate of standing in fashionable society.

The Deutscher Freundschaftsbund is a social and benevolent organization, instituted in 1875, by the German citizens of Augusta, and has also an annual ball, which is a social event of great interest with its members and their compatriots.

The Deutscher Scheutzen Club of Augusta is an organization on the model of the Scheutzen clubs, common among the German population, devoted to marksmanship with the rifle, and good fellowship. The club has very handsome and well appointed grounds near Augusta, which not only serve the purposes of the association, but are largely patronized by picnic parties, society celebrations, etc. The club is a universal favorite in Augusta, and has conferred a great public benefit not only by providing a suitable pleasure ground, but by practically demonstrating that true cheerfulness and joviality are en-

tirely consistent with temperance, good order, and decorum. The club has a monthly target practice, and once a year a grand *fest*, lasting two or three days, and a decided gala event, not only for the club, but the general public.

The Augusta Gun Club is a social organization established in 1884, and now a chartered company, its objects being the promotion of skill with the shot-gun and the protection of game. During the spring and summer months it practices weekly at clay pigeons, a species of clay disc which when thrown by a spring technically called a "trap," darts through the air at high speed, and with a motion somewhat resembling that of a swift-flying bird. This club had an act passed by the Legislature in 1886, to forbid hunting at improper seasons of the year in Richmond county, destruction of game by trapping, etc., the operation of which statute has been exceedingly beneficial. The club has grounds near the Schuetzenplatz.

The Emmet Club is a social and patriotic organization among the Irish citizens of Augusta. It has a large hall in the city at which its meetings are held, and which is the assembly room and headquarters generally of the other Irish organizations of the city, the Hibernian Society, the Land League, and the Ancient Order of Hibernians. Great interest is taken by the Irish citizens of Augusta in these various organizations. They are all strong in number and devoted to the memory and interests of the beautiful Green Isle.

The Gentleman's Driving Park Association and Augusta Jockey Club are devoted to the sports of the turf. Augusta has always been noted for its love of fine horses and high mettled racers. As early as 1810 there was a race course (a quarter mile track) at the then foot of Centre street, now Green street. Later on, the course was about where the Baptist Church now stands, at the intersection of Green and Jackson streets. Still later, the LaFayette race course was established in the southwestern portion of the city, and as the growth of population encroached upon that also, a new track was laid out on the fair grounds, in the southeastern portion of the city. On this many famous trials of speed have been had and exciting tournaments or tilts held. The rules of tilting, with saber, are as follows:

RULES FOR TILTING — FIRST.

Right cut.—Seven inch head, supported by a white pine peg, five-eighths inch diameter, exposed three inches, on a post six feet three inches high, to count..... 1

SECOND.

Quarte Point.—Ring three inches in diameter, to be suspended six feet from the ground on horizontal bar, to count.. 3

THIRD.

Left Cut.—Seven-inch head, on post six feet eight inches high, supported by white pine peg, five-eighths inch in diameter, three inches exposed, to count..... 4

FOURTH.

Tierce Point.—Ring three inches in diameter, suspended seven feet from ground on horizontal bar, to count..... 3

FIFTH.

Right Cut Against Infantry.—Leather head six inches in diameter, on post sixteen inches high, to count 1

SIXTH.

The exercise as prescribed by Upton to count 7
Horsemanship to count 1
Maximum on each run 20

Time.—Eleven seconds.

The uprights to be 75 feet apart. Time flag, 75 feet ahead of first upright. Making total length of run 375 feet.

Tilter must come up to the time flag with his saber at the "carry."

Should the tilter fail to make the run from time flag to last upright in eleven seconds, he will lose his entire score for that run.

After the time flag drops, the count will be for or against the tilter, and he will not be allowed a new start under any circumstances, unless the track be obstructed, or head or ring fall off.

The peg must be cut or broken through where struck by edge of saber. If not severed at this point the head will not count.

The "infantry head" must be struck by the edge of the saber.

Tilters must be in full uniform—plumes and gauntlets may be omitted.

Any tilter shouting at or wilfully striking his horse with saber, forfeits his score for that run.

There being no prescribed method in "Upton" for discharging, the rings may be disposed of by an upward or downward motion, at the option of the tilter.

The Fair Ground track was afterwards devoted to the Gentlemen's Driving Park Association, and a very fine one-mile race course was established by the Exposition Company on its grounds in Woodlawn, just in rear of the Schuetzenplatz and Gun Club grounds.

The Bicyle Club was organized in 1886, and has a good membership of wheelmen, some of them celebrated for proficiency. They have a fine track on the old base ball grounds of the Athletic Association.

The Athletic Association for some years maintained as fine a base ball club as was in the Southern League, and many exciting games were witnessed on its grounds in 1884 and 1885. The celebrated game of thirteen innings Augusta *vs.* Atlanta, finally won by the former after a terrific contest, was witnessed by an excited audience of several thousands. Though not now in active operation, the association developed and fostered a strong taste for athletic sports in Augusta.

The Richmond County Poultry and Pet Stock Association is a flourishing organization whose objects are indicated by its name. It has done much to improve the breed of dogs and fowls, and given several very creditable exhibitions. Of one we have heard an amusing account from the orator appointed to deliver the opening address. The affair was unusually successful; exhibits of every character had poured in beyond all expectation, and an immense audience had assembled. As the orator arose to open the exposition every bird

and animal seemed to do its utmost to drown his voice. The dogs barked in every note from the sharp yap! yap! of the excitable spaniel to the deep bay of the mastiff; the game cocks crowed with unutterable fierceness; the pigeons cooed, ducks quacked, turkies gobbled, geese screamed, and pea-fowl screeched. Even the little birds almost burst their tiny throats chirping and twittering; and, for a moment our friend stood aghast, but being not easily daunted, and taking in the humor of the situation, went on with his speech in dumb show amid an uproar probably no speaker ever confronted before.

One of the most estimable organizations in Augusta is the Georgia Society for the Prevention of Cruelty to Animals. This was incorporated in 1873, and owes its existence to the kind heart and untiring energy of Miss Louise W. King, a daughter of Hon. John P. King. Though cut off in the bloom of her youth, this gentle lady has left a blessed memory behind her in this and some other works of beneficence and compassion. Through her exertions the society was organized, and the Legislature prevailed upon to pass laws to prevent or punish acts of cruelty to the brute creation. It is now an offense against the laws of Georgia, "cruelty" being defined as "any willful act, omission, or neglect, whereby unjustifiable physical pain, suffering or death is caused or permitted;" and the courts have given the statute its full beneficial effect. Through Miss King's efforts the city council of Augusta also legislated upon the subject, and made it an offense cognizable in the Recorder's Court to overload any beast of burden, or to work one when bruised, maimed, sick or lame; or to cruelly beat or ill use any such animal. Under the operation of these enactments dog fighting and cock-fighting and the shooting of live pigeons or other birds at gun club matches are unknown, and beasts of burden are seldom ill-used. While thus invoking the strong arm of the law to protect man's humble dependents, Miss King also relied strongly on persuasive measures, and as long as she lived offered annual rewards to the draymen and wagoners for the best kept animals, and gave prizes to the school children for compositions on the duty of kindness to the brute creation Miss King was, indeed, an angel of mercy. The seal of the society beautifully typifies her noble and gentle soul. It represent a seraphic form waving a sword of fire before an inhuman monster of a man about to strike his overladen horse, who has fallen in the shafts, with a huge cudgel over the poor brute's helpless head. The society for the prevention of cruelty to animals is still in full operation. It keeps a skilled and experienced agent constantly on duty to prevent or report infractions of the law, and has established branch organizations in most of the leading cities of the State.

The Louise King Widow's Home is another institution which owes its origin to Miss King's benevolence. Here, in a substantial and comfortable building on Greene street, a number of helpless and dependent widow ladies are kindly cared for.

The Woman's Exchange and the Industrial Home are institutions which owe their origin to the charitable impulses of other ladies of Augusta. The object of the Woman's Exchange is specified in its articles of organization as follows: "The object of this association shall be to to enable women to sell their handiwork of all kinds, or to enable them, for the betterment of their condition, to sell such valuables as remain to them, or to assist them to get employment for the support of themselves or their families, and for all kindred purposes." The exchange, though of recent origin, has already proven potent for good.

The Industrial Home is the work of mercy and compassion itself. Here the unhappy victims of man's accursed deceit and brutality are given a refuge, the institution being intended as a reformatory refuge for fallen women, and under its protecting roof are a dozen or more poor unfortunates who in the evening of a misspent life are sheltered from the outer blasts.

The Woman's Christian Temperance Union is another form of feminine effort to do good. Each Thursday the members meet to implore the Divine blessing on their efforts to stay the evil of drunkenness. In every way, by letters, by tracts, by addresses, by memorials, by protests the union is heard in favor of temperance and temperance measures.

The Young Men's Christian Association has been in existence in Augusta for a number of years. At one time it languished, but was soon reorganized, and is now on a firmer foundation than ever. It has a strong membership, and is about to erect a fine hall on its own ground. In connection with the usual reading-room and hall for devotional exercises, it has a well equipped gymnasium for the use of members.

The Ministerial Association of Augusta is composed of the pastors of most of the churches in the city, and from the character of its membership is an exceedingly strong and influential body. Its remonstrance against fashionable follies has been found of powerful effect, and in works of charity it is a most efficient instrumentality.

The Sheltering Arms is a most beneficent institution under a most appropriate and endearing name. In the huge factories of Augusta whole families work, and the province of the Sheltering Arms is to care for the infants and very small children while the mother is at the loom.

In 1852 the Augusta Orphan Asylum was incorporated, Thomas W. Miller, Henry H. Cumming, Edward F. Campbell, John Milledge, Artemus Gould, Lewis D. Ford, and John R. Dow being the incorporators, with power to conduct an institution for the care of orphan children, to provide for their maintenance and education, and bind them out at a suitable age to some useful trade or calling until majority. In 1855 operations were begun in a rented house with four orphans. In 1855 Mr. Isaac S. Tuttle, a philanthropic citizen, left his residence at the corner of Walker and Center streets as the asylum, and endowed it with $50,000 of other property. In 1859 Dr. Newton, Mr. Tuttle's

stepson, left the asylum a further benefaction of $200,000, and, under authority of an act of the Legislature, the city council gave it the use of two hundred shares of Georgia railroad stock. From the organization of the asylum up to 1870 Mr. Artemas Gould managed its finances with such skill that in that year when he resigned the capital of the institution was $348,071. The old Tuttle mansion proving too small, a new and very handsome building was erected in the southwestern part of the city, near the Georgia railroad, in 1873. The edifice is four stories high, surmounted by a lofty cupola, and is surrounded with ample grounds laid out with shrubbery and flowers. The house and grounds cost $173,759.11; the property in income-paying bonds and stocks is $244,217.23, making a total capital of $417,986.37. The institution has from a hundred to one hundred and twenty-five inmates, supported at a cost of something less than one hundred dollars per head per annum.

The Young Men's Library Association was founded in 1848. We have already mentioned that in 1808 "The Thespian Society and Library Company of Augusta" was incorporated, but the literary feature seems to have yielded to the dramatic. In 1827 Henry H. Cumming, George W. Crawford, Thomas J. Casey, Augustine Slaughter, John P. King, James P. Waddel, James Moore, Peter Bennoch, and Robert R. Reid were incorporated as "The Augusta Library Society."

For a number of years the library association had its rooms on the northwest corner of McIntosh and Ellis streets, but since 1884 has been housed in a building of its own on the corner of Broad and Jackson streets. The library now numbers some 7,000 volumes.

In the hall of the library the Hayne Circle holds its meetings. This is a literary coterie of some five or six years standing, named after Paul H. Hayne, the poet. It is a somewhat informal organization, though having a corps of officers and an order of exercises, but has a strong hold on its members, and is a recognized literary power in Augusta. Ordinarily some novel, play, or other literary production is selected as a central theme. An analysis of some of the leading characters is assigned to members of the circle, who are appointed some weeks in advance, and expected to prepare and read papers on the themes assigned them. After the regular papers are read, a symposium is had, or a general running discussion wherein the merits of the contributors and the views generally of the circle on the work selected for consideration, are in order. This is a sort of literary free for all, and is often a bright encounter of wits. Each member is then called on for a quotation from some author, the selection being left entirely to his or her taste. Assignments for the next meeting are then announced by the presiding officer, and any necessary business transacted.

The Confederate Survivors Association consists of Confederate veterans. Every man who served under the Southern colors is admissible on being vouched for by two comrades and giving in his rank and command. Quart-

erly meetings are held, and on the 26th of April each year, Memoral Day, the association has its annual meeting, and after the transaction of business drinks in silence and standing a toast to the Confederate dead. At the funeral of each member, a detail, and sometimes the whole association, attends with a war-worn, tattered, and smoke-grimed stand of Confederate colors. The maimed members, those who have lost arm or leg, are the color guard.

The Travelers' Protective Association (Post C, Augusta division) is a society of traveling salesmen, commonly called "drummers," organized for purposes of social intercourse and mutual assistance in matters appertaining to this important commercial instrumentality.

The Catholic Knights of America have two divisions in Augusta, St. Joseph's branch No. 62, and St. Patrick's branch No. 66, both strong in membership and well sustained.

The Grand Army of the Republic has a post in the city, Augusta Post No. 44, with a good membership.

The Masonic fraternity is exceedingly strong and influential in Augusta and has an ancient history. In 1796 the Grand Lodge of Georgia was incorporated; the act reciting that "William Stephens, grand master; James Jackson, past grand master; William Stith, deputy grand master; James Box Young, senior grand warden; Edward Lloyd and Belthazer Shaffer, past grand wardens; Ulrich Tobler, jr., grand warden; George Jones, past grand treasurer; James Robertson, grand treasurer; David Bridie Mitchell, past grand secretary, and John Blackstock, grand secretary of the Grand Lodge of Free Masons in this State, have, by their petition stated, that there has existed, and still exists in this State, divers lodges or societies of Free Masons, on an ancient establishment since the year one thousand seven hundred and thirty-five, over which there is a presiding or superintending Grand Lodge, composed of the petitioners as members."

Prior even to this early date there were Masons in Augusta, since in 1790 they were voted the garret of the Richmond Academy as a lodge room.

In 1824 Samuel Hale, Thomas I. Wray, Augustine Slaughter, William W. Holt, B. D. Thompson, John W. Wilde, and Robert R. Reid were nominated commissioners to conduct a lottery for the purpose of raising $20,000 to be appropriated to the building of a Masonic Hall in the city of Augusta.

In 1825 La Fayette visited Augusta, and being a Mason, was welcomed in an address by John W. Wilde, grand commander of Georgia Encampment No. 1.

In 1827 the General Assembly passed an act, which after reciting that the money provided for by the act of 1824 had been raised, enacted that the Masonic Hall should be for the use of all the Masonic bodies of the city, and appointed Samuel Hale, Augustin Slaughter, Thomas I. Wray, Birkett D. Thompson, John W. Wilde, Robert Raymond Reid, Alexander McKenzie,

William T. Gould, William Duncan, Thomas G. Casey, Jonathan S. Beers, James C. Morgan, Francis Ganahl, and their successors as "the trustees of the Masonic Hall in the city of Angusta." The act states that at that time the Masonic bodies in Augusta were the Consistory of the Sublime Degrees, Georgia Encampment No. 1, Adoniram Council No. 1, Augusta Chapter No. 2, Social Lodge No. 5, and Webb's Lodge No. 19.

In the early part of 1828 the Masonic lodge room was on McIntosh street, but on June 2 of that year the Masonic Hall was opened, Governor William Schley delivering the address

In 1877 the trustees were authorized by a two-thirds vote of their whole membership, approved by like vote of all the Masonic bodies in the city, to issue $50,000 in bonds for the purpose of erecting a new hall, and in 1881 the old one was taken down and a new one erected. This was destroyed by fire in February, 1887, but in its stead was at once erected a third, and still handsomer edifice, which is one of the architectural ornaments of the city.

The large number of societies at present can only be briefly mentioned. They are Master Masons, Social Lodge, No. 1; and Webb Lodge, No. 166; Royal Arch, Augusta Chapter, No. 2, and Georgia Commandery, No. 1; R. and S. M. Adoniram Council, No. 1; Scottish Rite, Enoch Lodge of Perfection, No. 1, 14th degree; Augusta Chapter, Rose Croix, No. 2, 18th degree; Augusta Consistory, No. 1, 30th degree; and Council of Kodosh, No. 1, 32d degree; also a colored society, A. Y. M. Benneker Lodge, No. 3.

The Grand Lodge of Odd Fellows in Georgia was established in Savannah in 1842. The Grand Lodge of the State was incorporated in 1843. In Augusta there are Washington Lodge, No. 7, established in 1844; Miller Lodge, No. 10, in 1845; Richmond Lodge, No. 101, in 1883, and Augusta Encampment, No. 5, shortly after. There are also two colored lodges, Boaz Lodge, No. 1686, and Star of Bethlehem Lodge. The Augusta Odd Fellows have long occupied a most prominent place in the order in the State, almost all the grand masters for nearly a half century being from this city.

The Knights of Pythias have the Vigilant Lodge No. 2; Endowment Section, No. 118; Fountain City Lodge; and Augusta Division No. 6, U. R. R. of P.

The Knights of Honor have Pendleton Lodge, No. 220; Shepard Lodge, No. 721; and Benner Lodge, No. 1259. There is also Louise Lodge, No. 141, D. of P., Knights and Ladies of Honor.

The Knights of the Golden Rule have Castle Richmond, No. 41; the Order of the Golden Chain, Augusta Lodge, No. 26; Royal Arcanum, Ford Council, No. 34; Chosen Friends, Social Lodge, No. 2; Knights of the Golden Eagle, Ivanhoe Castle, No. 1; and Red Cross Castle, No. 4.

The Independent Order of Red Men have Osceola Tribe, No. 9, and Pappoose Tribe No. 10.

The temperance orders are Good Templars, Martha Washington Lodge, and Sibley Lodge, No. 88.

There are also Augusta Lodge, No. 119, O. K. S. B; Obediah Lodge, No. 119, I. O. B. B; Teutonia Lodge, No. 429, D. O. H; and Augusta Lodge No. 2, A. O. U. W.

There are also societies and orders in many avocations, among others Augusta Division No. 202, Order of Railway Conductors; Locomotive Brotherhood, Augusta Dental Association, Typographical Union, Knights of Labor, Bricklayers Union, etc., etc.

The colored societies in Augusta are exceedingly numerous, and a sketch of their origin and progress will be found of interest. On emancipation the colored population was confronted with an exigency it had not known in slavery. If the freedman was sick there was no one interested out of his immediate circle of family and friends to care for him; if he died, none to decently bury him, and family and friends were as poor and helpless as himself. In this emergency they established benevolent societies. A monthly fee was required, which was for the purpose of helping one another when sickness or death came. These societies met with every sort of trouble. As the membership grew in numbers the treasury swelled, and upon this money avaricious eyes were cast, and it was diminished in various ways, the failure of the Freedman's Bank swallowing up much of it. Then politics crept into the societies and many collapsed. Others struggled on, and as politics were weeded out began to prosper, and encouraged by this example other societies sprang up, until now there are about twenty-five strong organizations with a large membership, and working much good. The city has but few negroes to bury, and in nine cases out of ten they are either expelled from the societies, or never belonged to them.

The plan of operation is about the same in all of them. A person joins and pays his initiation fee of one dollar, and monthly dues of fifty cents. During the sickness of a member he or she receives a weekly benefit of two dollars and fifty cents, and in case of death twenty-five dollars is devoted to funeral expenses and thirty dollars to the widow. In some societies when a member is sick there is a committee to furnish nourishment and medicine, all of which is paid for by the society. The societies are not confined to grown people, there being some for children.

The names of the societies seem to have been selected more for euphony than for appropriateness, as the following will show:

Morning Stars of Benevolence, Union Waiters Society, Joint Club, Georgia Benevolent Association, Devoted Brothers and Sisters, Sons and Daughters of Benevolence, Brothers and Sisters of the Evening Star, Brown Beneficial Society, Trinity Moral—two societies, Thankful Moral, No. 1, Brothers and Sisters of the Morning Star, Watchman's Banner, Banner Light of Georgia, Stars of Bethlehem, South Carolina Benevolence, Mutual Benefit Associa-

tion, Brothers and Sisters of Love, Lillies of the Valley, St. Phillip's Benevolent, Mutual Benefit Association, Mutual Aid Society, Bonds of Hope, Sons and Daughters of Jerusalem, Young Mutual Aid, and Young Brown Beneficial.

The Union Waiters Society is an old organization, and strong in numbers. The Moral Societies have also full ranks and have great influence. By means of festivals, picnics, etc., in addition to the regular dues, the society treasuries are well replenished.

CHAPTER XXVII.

EDUCATIONAL.

Early Educational System of Georgia—The University—The Academy—The Poor School—Early Appropriations—School Population—Academies and Schools of 1828—Course of Instruction—The Educational Commission of 1836—Common School System of 1837—School Fund from 1823 to 1838—Common School System Abolished in 1840—Poor School Fund of 1843—Large Increase of Fund in 1852 and 1858—The Perfected Poor School System—Outbreak of War Prevents Fair Trial—The Academies—Their Number and Curious Names—"The Turn Out"—Codification of the Laws in 1860—Educational Benefactions in Augusta—Old Schools—The Houghton Institute—Augusta Free School—Richmond Academy—Educational Clauses in State Constitutions of 1861 and 1865—Education During the War—Constitutional Provisions of 1868—System of 1870—The Richmond County System.

AT a very early period in its history the State of Georgia paid great attention to collegiate education. In 1784, in providing for the laying out of Franklin and Washington counties, the Legislature set apart 20,000 acres of the best quality in each county, "for the endowment of a college or seminary of learning" and vested the title thereto in the governor for the time being and a board of seven trustees. In the next year they created a State university by an act passed with great formality, and introduced by a pompous preamble. While now only archaic and curious in itself, it is of present use as showing the extreme importance attached to intellectual development in Georgia, even at that early day, when men were just out of the throes of the Revolution. It begins thus: "By the representatives of the freemen of the State of Georgia in General Assembly, and by the authority of the same. An Act for the more full and complete establishment of a public seat of learning in this State.

"As it is the distinguishing happiness of free governments, that civil order should be the result of choice, and not necessity, and the common wishes of

the people become the laws of the land, their public prosperity, and even existence, very much depends upon suitably forming the minds and morals of their citizens. Where the minds of the people in general are viciously disposed and unprincipled, and their conduct disorderly, a free government will be attended with greater confusions, and with evils more horrid than the wild, uncultivated state of nature: It can only be happy where the public principles and opinions are properly directed and their manners regulated. This is an influence beyond the sketch of laws and punishments, and can be claimed only by religion and education. It should, therefore, be among the first objects of those who wish well to the national prosperity, to encourage and support the principles of religion and morality, and early to place the youth under the forming hand of society, that by instruction they may be moulded to the love of virtue and good order. Sending them abroad to other countries for their education will not answer these purposes, is too humiliating an acknowledgement of the ignorance and inferiority of our own, and will always be the cause of so great foreign attachments, that upon principles of policy it is not admissible.

"This country, in the times of our common danger and distress, found such security in the principles and abilities which wise regulations had before established in the minds of our countrymen, that our present happiness, joined to pleasing prospects, should conspire to make us feel ourselves under the strongest obligation to form the youth, the rising hope of our land, to render the like glorious and essential services to our country.

"*And Whereas*, for the great purpose of internal education, divers allotments of land have, at different times, been made particularly by the legislature at their sessions in July, one thousand seven hundred and eighty-three; and February, one thousand seven hundred and eighty four, all of which may be comprehended and made the basis of one general and complete establishment. *Therefore, the representatives of the freemen of the State of Georgia, in general assembly met this twenty-fourth day of January, in the year of our Lord one thousand seven hundred and eighty-five, enact, ordain and declare, and by these presents it is* ENACTED, ORDAINED, AND DECLARED, 1st. The general superintendence and regulation of the literature of this State, and in particular of the public seat of learning, shall be committed and entrusted to the Governor and Council, the Speaker of the House of Assembly and the Chief Justice of the State, for the time being, who shall, *ex-officio*, compose one board, denominated the *Board of Visitors*, hereby vested with all the powers of visitation, to see that the intent of this institution is carried into effect, and John Houstoun, James Habersham, William Few, Joseph Clay, Abraham Baldwin, William Houstoun, Nathan Brownson, John Habersham, Abiel Holmes, Jenkin Davies, Hugh Lawson, William Glascock, and Benjamin Taliaferro, esquires, who shall compose another board, denominated the *Board of Trustees*. These two

boards united, or a majority of each of them, shall compose the SENATUS ACADEMICUS of the University of Georgia."

The act then made many regulations for the new institution, and provided further, that "All public schools, instituted or to be supported by funds or public monies in this State, shall be considered as parts or members of the University."

The design of the act was to constitute the university the educational center and supervisor of the State; but for many reasons this purpose failed of effect. The university itself languished and was only made an accomplished fact, at last, by the liberality of a citizen of Augusta, Governor John Milledge, who, as elsewhere narrated in this history, gave the institution the land upon it which it is built.

The general school system of the State was this: wherever there was a local academy the State would grant some sort of subsidy for its support, and for the children of the poor who could not pay any tuition, there were sparse and spasmodic appropriations for poor schools. There were thus two funds, the academical and the poor school fund. The policy of the State was that education was the duty of the parent, and the appropriations from time to time made were to assist the academies and to support the poor schools, according as parents were partly, or wholly, unable to perform this duty. At divers times efforts were made to consolidate the academical and poor school funds, and to establish a general and uniform system of free education, but the acts passed to effectuate these ends were either soon repealed or shortly fall into desuetude. The academy and the poor school were the features of the educational system of Georgia until 1868, when a general system of free education became a constitutional principle. Some further review of the old system may be of interest.

In 1783 the governor was empowered to grant any person or persons authorized by the several counties of the State one thousand acres of vacant land for erecting free schools.

In 1792 such counties as had not then received £1,000 from the proceeds of the sales of the confiscated estates of loyalists were to have that sum for the support of the county academy.

In 1817 the sum of $250,000 was appropriated "for the future establishment and support of free schools throughout this State." The governor was authorized to invest the same in bank, or other profitable stock. The preamble of this act states that "the present system of education in this State is not well calculated for the general diffusion, and equal distribution of useful learning." It does not appear that any educational system was established under this statute.

In 1821 the sum of $500,000 was set apart, "the one-half for the support and encouragement of free schools, and the other half for the permanent endow-

ment of county academies." It was provided that this appropriation should be called the school fund, and should be composed of bank stock as follows: Bank of Darien, $200,000; the State Bank, $200,000; and bank of Augusta, $100,000. It was directed that inquiry be made what each county had then received from the State in confiscated property or other endowments for educational purposes, and upon receipt of such information the interest on the school fund should be divided out among the several counties of the State on a basis to be thereafter arranged.

In 1822 an effort was made to establish a poor school system. It was provided that the Inferior Court of each county should appoint certain superintendents, not to exceed in number one for each militia district, to supervise "the education of the poor children of said county." These superintendents were to make out a list of the names of the poor children of the county from eight to eighteen, and transmit the same to the governor, but no child was to be enrolled whose parents or estate pay a tax exceeding fifty cents over and above their poll tax. On receipt of the enumeration the governor was to divide $12,000 among the counties, in "proportion to the number of poor children returned as above. It was provided that, on receipt of the county quota, the superintendents should cause such poor children to go to "such schools as may be convenient in their respective neighborhoods," but no child was to be "sent to school and paid for out of said fund, when such child has been taught reading, writing, and the usual rules of arithmetic;" nor was any child to "be sent to school at public expense more than three years." The superintendents were also to take a general census of all children in the county, "as well poor as rich, and female as well as male, between the ages of eight and eighteen," and transmit the same to the Legislature.

In the same year provision was made for an additional endowment of the county academies. One-half of the bank stock dividend, and all moneys in the treasury arising from escheats and reverted property, were to be divided out among the counties, so that, including the cash or other endowments previously received, each county should have $2,000; the residue then to be distributed in proportion to the representation from each county; where there was more than one academy in a county the money was to be pro-rated according to the number of their respective scholars; where there was no academy, the Inferior Court was to apply the fund, in its discretion, to educational purposes.

In 1823 it was enacted that out of the bank dividends should be annually distributed among the counties in proportion to the free white population therein, the sum of $20,000 "for the purpose of educating such children who are destitute of the means of education." The Inferior Court was to appoint three trustees for the county who were to give bond in the sum of $1,000 each, and receive, apportion and disburse the poor school fund, and locate and regulate the schools.

In 1824 the Senate directed its committee on public education and free schools to inquire into the relations of the *Senatus academicus* and the county academies. The committee reported that by the charter of the university it was made the duty of that institution to remedy the defects and advance the interests of literature throughout the State in general; that it was also the law that all public schools instituted or supported by the State were under the superintendence of the university; that it was the duty of the president, or some member of the faculty thereof, to annually visit and inspect each academy, but that this regulation had been found impracticable To obtain accurate information, therefore, on the subject the committee recommended "that hereafter it shall be the duty of the trustees of all academies in this State, which derive a part or the whole of their support from the State funds to make an annual report to the senator of the county in which the academy may be, of the following form:

1. The number and salaries of instructors.
2. The number of scholars.
3. The annual income.
4. Branches of learning taught.

This was adopted. For a number of years the senators, there then being a senator to each county, communicated to the Senate committee on education the reports made them by the trustees of the academies in their respective counties. These reports, however, were extremely meager, and we find constant complaints that some of the trustees totally neglected their duty, and the majority of those who made returns did so in an unsatisfactory manner.

Despite the unsatisfactory and unsystematic manner in which the state of the academies was reported to the Legislature, the academies themselves seem to have been carried on with a reasonable degree of efficiency. In 1826 Governor Troup says in his annual message that "our academic institutions continue to flourish." In the same document he speaks of the poor schools, thus: "It is recommended to you to consolidate the poor school fund, to augment it, to secure by sufficient guards its faithful application, and to diffuse its benefits as extensively as possible among the poor and indigent. These are the classes of the community who in their means of livelihood fall below mediocrity, and who, on this account, as well as on account of their numbers, have the strongest claims for that assistance which will enable them by the instruction of primary schools, to discharge in peace and in war, with most usefulness to themselves and advantage to the country, all the duties of good citizens."

The house committee on public education and free schools made quite an elaborate report on educational matters at this session. From this it appears that the State University at that time was conducted by a faculty consisting of a president, a professor of natural philosophy and botany, a professor of chemistry and mineralogy, a professor of mathematics, a professor of ethics and

belles-lettres, and two tutors. The committee report in favor of a professorship of modern languages. The report then proceeds to say: "The manner in which the funds heretofore set apart for the endowment of county academies and for the encouragement and support of free schools, and the effects produced next demanded the examination of your committee. The school fund consists of five hundred thousand dollars, and is made up of

Stock of the Bank of Darien	$200,000
" " " State Bank	200,000
" " " Bank of Augusta	100,000
Total	$500,000

"The several acts which have been passed upon the subject of county academies, commencing with the charter of the university in 1785, and terminating in 1824, obviously contemplate an efficient endowment of at least one academy in each county. With this view that charter made each county academy a branch of the university, and subjected them to supervision accordingly. In furtherance of this view, also, was the act of confiscation and amercement in 1792, authorizing commissioners from each county to purchase in confiscated property to the amount of £1,000.

"The aid contemplated from this source was uncertain and precarious, even in the hands of the most fortunate, and with many was wholly inoperative. The amounts realized were small, and in but few instances beneficially applied. The present existing laws have affixed an estimate of this intended munificence by holding the intended beneficiaries accountable for only one-eighth of their nominal purchases. Under the new scheme of endowment now in progress, the older counties have been made to account for their ancient purchases. An equal participation in the fund distributed in 1824 and 1825 has been denied them, that they might be brought to an equality with their younger sisters, and then draw equally from the common parent until the receipts of each should amount to the sum of two thousand dollars.

"This being effected, each county will be considered as specifically endowed, and thenceforward the profits of $250,000 in bank stock will be distributed amongst all the counties in the State, in proportion to their representation. For the last political year ending on the first day of November, the distributive share amounted to the sum of $215.38. This is receivable at the treasury upon the joint application of the trustees of the incorporated academies in each county, and to be divided between them in proportion to the number of scholars usually taught in each. For a policy thus enlightened, and a munificence thus liberal, no further requital is demanded on the part of the State than that the participants of her bounty should keep a just and accurate account of the manner in which the same should be disbursed and applied, and make report thereof annually through the *Senatus academicus* to the Legislature. The pro-

priety of such report is dictated by a sense of obligation, but its necessity is the positive requirement of the law. But notwithstanding these things are so, your committee regret to state that in the range which they have taken through the several reports made by the senators to the *Senatus Academicus*, they discover but slight traces of that particularity required by law, and which is so essential to a due course of legislation upon a subject so important. It was not to have been expected that any plan of endowment amidst a new and varying population would have made any near approach to perfection; hence the necessity of regular, detailed, periodical information, not only from each county but from the whole of the incorporated academies in the State. Information short of this would be short of the laws already in force, and insufficient to enable the State to dispense her practical and well aimed aids, and enforce due accountability on the part of her agent. To enforce a compliance with the laws in this regard, your committee beg leave to accompany this report with a resolution which they hope may be adopted, to wit:

"*Resolved*, That no trustee, or commissioners of any incorporated academy shall hereafter be permitted to draw any funds from the treasury of this State, until they shall have presented a full and fair statement of the manner in which all sums previously drawn shall have been disbursed; and that his excellency the governor be requested to enforce strictly the provisions of this resolution."

The resolution was adopted. On the subject of poor schools the committee says: "By the act of 1821 poor schools were intended to be endowed by the profits of the one half of the school fund, which has already been shown to consist of a half million of dollars. Instead, however, of confining this department to its distributive share of the bank dividends it has found a better provision and safer reliance in the increased liberality of the Legislatnre expressed in an act of 1823. This sets apart the sum of twenty thousand dollars to be distributed annually amongst the different counties of this State in proportion to the number of free white population in each county. Your committee have annexed a tabular statement showing the population of each county, and the amount which they are entitled to receive respectively. The sums thus provided have been eagerly sought after, but the evidence of fidelity in their application and utility in their disbursement has not been furnished in a manner satisfactory to the minds of your committee. From some counties imperfect reports have been received, from others no reports at all. The several agents may have been faithful; if they have, the fact should have been made to appear, as well for their own credit as for the needed information of the Legislature; if they have not, then the information was the more necessary to enable the Legislature to apply the corrective. In the absence of such information your committee are unable to determine whether the benefits intended by a charity, so kindly and so amply bestowed, have been or are likely to be realized. The subject is one of great interest and complexity and of novel introduction

among our citizens." The report then proceeds to say that the committee could not, for lack of time and requisite data, formulate a free school system, but recommended that Messrs. Campbell, Hull, of Clark, and Holt, of Richmond, be appointed a committee "to digest and report a plan of free schools suited to the condition of the poor school fund and of the dependent population of the State." The tabular statement annexed to this report shows that the then 58 counties of the State had a free white population of 233,305, and that the poor school fund was about 8½ cents per head. The largest sum allotted any county was $1,603.72, the smallest $54.72.

It does not appear that the committee recommended by this report to digest and report a plan of free schools took any action, but at the next session of the Legislature a bill was introduced "to establish a board of visitors to the poor schools, and to require teachers in the several districts to report the number of poor children and teach the same," which was voted down. At the same session, that of 1827, the committee to whom was referred the reports of the county academies, report that the returns "present a condition creditable to the patrons of those institutions and flattering to the future reputation of the State." In this bright picture, however, the committee find one dark spot, "they have been unable to arrive at any satisfactory conclusion to what extent and proficiency classical education has been taught in these institutions." Starting with the proposition that "this branch of literature is so necessary in all systems of juvenile instruction, that few persons in modern days have obtained intellectual eminence whose minds have not received this training," the committee enter on a curious and elaborate argument to show that the intellectual future of Georgia depends on a better attention to classical learning in the academies of the State. After a long and labored disquisition on the utility of the classics as a means of mental training, the committee declare it "a source of melancholy regret that so little care should be bestowed by the patrons of our academies on this important part of juvenile education."

In 1828 the clerk of the Court of Ordinary was made sole trustee of the poor school fund and manager of the poor schools. The justices of the peace were required to report to him "a list of all children in their respective districts, together with their names, ages, and sexes, whose extreme indigence entitle them to a participation in the poor school fund." The same act required that duplicate reports of the attendance at, and expenses of both poor schools and academies should be transmitted to the governor and the *Senatus Academicus*.

Of the educational system of the State at this date we have a very full and interesting account, thanks to a faithful compliance with the law by the officials of that date. It appears that the appropriation for the support of academies for 1828 was $14,307.44; and for poor schools, $7,425.58. It further appears that there were in operation eighty academies in seventy-five counties, with a total attendance of 1,479 male, and 973 female scholars. Some 304, not dis-

tinguished by sex, were reported, making total 2,756, but twenty-seven academies failed to report the number of scholars. If the same average obtained as in those reporting, there must have been at least 4,300 scholars attending the county academies in 1828. Some of the academies seem to have had a good attendance: the one in Greene county showing 119 scholars; that in Wilkes, 103; the Sparta Female Academy, 151. Richmond Academy has but fifty three; three report less than twenty, and one has only one scholar, a little miss. It further appears that at this time the university, pursuant to its charter, sought to exercise a supervisory control over all the academies receiving support from the State, and that the *Senatus Academicus* adopted the following resolution, which under the charter, had the force and effect of a statute, viz.:

"In order to introduce uniformity into the academies connected with the University of Georgia, the *Senatus Academicus* prescribe to each the following course of studies and authors to be used preparatory to admission to college, viz.: Murray's English Grammar; arithmetic, to the end of the cube root; Ruddiman's Rudiments; Corderius, fifty colloquies at least; Erasmus, at least one-half; Cornelius Nepos to Atticus; Cæsar's Commentaries, six books; Cicero's Orations, at least nine to be read; Virgil, the Bucolics, Georgics, and six books of the Æneid; Mair's or Clarke's introduction to making Latin; Wettenhall's Greek Grammar; the Greek Testament, at least through John and the Acts; Græca Minora, to the end of the Dialogues. The above are essential to qualify the student to enter the Freshman class. In addition to these, the following are necessary for admission into the Sophomore class: Xenophon, four books; the whole of Horace; Homer, one book; Algebra, through simple equations; geography, thoroughly, and a knowledge of the maps essential."

The necessity of some standard appears by the report of studies pursued in the various academies, where all sorts of courses were pursued, as geology, botany, astronomy, and even theology. Some of the teachers, to be on the safe side, report "all branches."

The poor school report is a sad affair. But thirty-one counties, out of seventy-six have poor schools in operation, with 1,624 male and 1,471 female scholars, making, with 120 not distinguished by sex, a total of 3,215. In one county no one can be found who will act as superintendent of poor schools; in another the old and new trustees are litigating over the fund; in divers others the teachers are not paid.

The Senate committee on public education and free schools reports "that the present free school system of Georgia is miserably defective, your committee have had but too mortifying testimony in the returns of the several counties submitted to their inspection during the present session; the fund set apart for free schools, though entirely inadequate to effect the important *desideratum* of furnishing the means for a plain and substantial education to every family in the State under a more regular and economical administration, has,

it is feared, been dissipated with comparatively little benefit." They recommend the employment of a competent person to digest and arrange a system of free schools for consideration of the next General Assembly.

At the next session in 1830 Governor Gilmer informs the Legislature in his message that the academy system is not advancing the cause of education, and says that "the appropriations for academical purposes which have been made for some years past, do not seem to have effected any public benefit at all equal to the expenditure." The poor schools seem to have improved considerably, being in operation in fifty-eight counties, with an attendance of about five thousand. The poor school fund for this year was $29,998.15; the academical fund $19,296.01.

In 1836 the Legislature appropriated one-third of the surplus revenue of the United States, then about to be distributed among the States, as a permanent free school and educational fund, and authorized the appointment of a joint committee of five "to digest a plan of common school education, best adapted to the genius, habits of life and of thought of the people of Georgia," with power to appoint a sub-committee of two, "to visit different parts of the United States, and particularly the New England States, and institute a correspondence with such persons as they may think proper, either in the United States or Europe, or both, for the purpose of getting information of the different systems of common school education."

At the next session, in 1837, Governor Schley in his message to the Legislature, said: "The great cause of education deserves your fostering care. About $40,000 are now annually distributed to the counties, and constitute what are denominated 'the Academical and Poor School Funds.' This system is believed to be radically defective. There should be no such designation as 'academic' and 'poor school,' because they are invidious and insulting. Poverty, though a great inconvenience, is no crime, and it is highly improper, while you offer to aid the cause of education, to say to a portion of the people 'you are poor.' Thousands of freemen who though indigent, are honest, patriotic, and valuable citizens, will refuse your bounty, and despise the hand which offers it, because it is accompanied with insult. These funds should be consolidated under the title of 'Educational Fund,' and applied to the use of primary schools, teaching only the rudiments of English education."

At the same session the joint committee to prepare a system of common schools made its report. This was ordered to be printed with the acts of that year, which was not done, but from "an act to establish a general system of education by common schools," approved December 26, 1837, their conclusions seem to have been reduced to law. This statute provides that the academic and poor school funds should be consolidated as a general fund for common schools; that there should annually be elected a board of five commis-

sioners in each county, who should lay the county off into school districts, to correspond as nearly as possible to the militia districts, and have general charge of the matter of education therein; that they should make annual report to the governor of the school population in the county; and should receive and disburse the county's quota of the educational fund. The State fund was to be distributed according to the number of free white persons between the ages of five and fifteen in each county; and no part of said fund was to be used for any other purpose than in payment of teachers, and purchase of books and stationery for children whose parents were unable to provide the same. The system was to be primarily for the benefit of scholars between the ages of five and fifteen, but no person between fifteen and twenty-one was to be debarred.

In 1839 there were signs of a disposition to return to the system in vogue prior to this act. In that year John McPherson Berrien, William W. Holt, and A. H. Chappell, commissioners, appointed under authority of a Legislative resolution to inquire into the whole subject of the State finances, with a view to sustaining the "great interests of public education and internal improvement," made an exhaustive and valuable report. Of the academies they say, "the county academies have been heretofore liberally endowed, and, may, in the opinion of the undersigned be safely left hereafter to the management of their own trustees, without further appropriation than a distribution of the present academic fund, in such proportions as may be just. For this intermediary class of schools this provision is deemed adequate, as experience has proved that they are capable of self support, and that those of a private foundation are ordinarily most successful."

They next consider the common or poor schools, which they say they consider more important than either the university or the academies. They say that "hitherto the State has not only been without any system of common schools, but has actually neglected to provide adequate means for their support, should a system be devised suitable to our condition. It is true this matter has not been entirely neglected, but the inadequacy of the provision has in effect rendered all our efforts in this way inefficient." They state that the treasury reports show that for the five preceding years, the annual average poor school fund has been but $17,418; and the academical fund $19,352, and that the total $36,770 is not more than half enough for poor schools alone. They find that there were then about 75,000 male citizens of Georgia over twenty-one and under sixty years of age, and recommend that a poll tax of $1 be imposed, to be devoted exclusively to poor schools. They further report that they called upon the treasurer for information as to the disbursements since 1815, or for a quarter of a century past, for academies and common schools, and give the answer received, which we here tabulate. The records appear not to extend back of 1823.

	Academies.	Poor Schools.	Total.
1823	$ 3,306 80	$	$ 3,306 80
1824	18,502 01		18,502 01
1825	11,004 12	12,409 63	23,413 75
1826	11,502 75	17,706 30	29,209 05
1827	9,205 28	8,493 48	17,698 76
1828	4,095 30	7,724 74	11,820 04
1829	14,302 44	7,425 58	21,728 02
1830	19,296 01	29,998 15	49,294 16
1831	20,156 54	24,570 46	44,727 00
1832	19,177 68	19,298 44	38,476 12
1833	21,812 95	22,380 57	44,193 52
1834	18,710 27	18,401 18	37,111 45
1835	16,657 20	16,560 49	33,217 69
1836	18,308 60	15,892 01	34,200 61
1837	22,823 88	17,711 32	40,535 20
1838	20,260 21	18,525 44	38,785 65
	$249,122 04	$237,097 79	$486,219 83

In the next year, 1840, the system of common schools as established by act of 1837, was abolished, the poor school system was revived, and the common school fund was made a poor school fund. Five commissioners were directed to be appointed in each county by the justices of the Inferior Court to disburse the fund for the benefit of children "between the ages of six and fifteen years, whose indigence, in the opinion of the justices, entitle them to a participation in the poor school fund." Such children might be taught in the academies, in which event the teacher was entitled to receive poor school rates for their tuition. The educational system then stood as before, to wit: academies for pay, and poor schools for indigent, pupils.

In 1842 Governor McDonald informed the Legislature that "the efforts heretofore made to confer the benefits of education upon all through the instrumentality of common and poor schools, have not been attended with the success that was hoped for," adding that "so small is the sum now subject to distribution, that if it were equally divided among the children entitled to it under the law, and it should be distributed in no other manner, it would not be sufficient to purchase the books and stationery necessary for their use. At the last apportionment, the sum of seventy cents only was assigned to each child, and there must be even a further reduction at the next." It was the opinion of his excellency that the State should support and educate, at some central point, a select number of poor pupils who should bind themselves in return to teach gratuitously for a certain period in the counties whence they came, those counties to board and clothe them while so doing, a plan which went no further than the executive recommendation.

In 1843 was passed "an act to provide for the education of the poor," which empowered the justices of the Inferior Court to levy a tax for that purpose when recommended by the grand jury. In addition to this resource 1733 shares of the capital stock of the Bank of the State of Georgia, 890 shares of

Bank of Augusta stock, and all the net assets of the Central Bank were set aside as a permanent educational fund, the interest whereof was to go to the support of poor schools. The justices of the Inferior Court were to have the general matter of poor schools in charge, and to provide for poor children between the ages of eight and sixteen whose parents were unable to educate them. By a subsequent act the school age was changed to from six to sixteen.

For a quarter of a century from this date the old system of academies and poor schools remained substantially as the acts of 1840 and 1843 left it, but some vigorous efforts were made to improve the poor school fund.

By act of 1852 the dividends on 1833 shares of State Bank stock, 890 shares of Bank of Augusta stock, and 186 shares of Georgia Railroad and Banking Company stock, all belonging to the State, were set apart "as a permanent fund for the education of the poor." This fund was to be increased by as many additional shares of the stock of either of said banks as could be purchased with the unexpended appropriation of $30,000 for the State convention of 1850, and the net assets of the Central Bank. This fund was to be apportioned among such counties as should by the first of December in each year certify to the State Treasury the number of children between the ages of eight and sixteen years therein, as were unable "from the poverty of themselves or parents, to procure a plain English education without public assistance."

In 1858 this fund was supplemented by the sum of $100,000 annually from the revenue of the Western and Atlantic, or State, railroad, and any annual unexpended balance in the treasury after defraying all expenses of the State government. It was also provided that as fast as the then existing State debt should be paid off six per cent. educational bonds should be issued, the interest to go to same fund. At that time the State debt was $2,627,000, so that an ultimate addition of $157,620 was contemplated. The same act changed the school age to from eight to eighteen.

In 1859 the school age was changed to from six to eighteen, and it was provided that the elementary branches should alone be taught, the same being defined as spelling, reading, writing and arithmetic, though English grammar and geography might be pursued if the cost was not thereby increased.

The necessity of increased appropriations had become so manifest as to force the above stated action. The number of scholars was rapidly increasing, and the fund became ridiculously small. In 1848 there were 23,106 poor children, and the fund was $19,278.15. In 1853 there were 38,000 children, and but $23,000 wherewith to educate them, or sixty cents apiece. The effect of the measures of 1852 and 1858 we will trace hereafter; suffice it here to say that the number of poor schools and poor scholars increased.

The academies also seemed to prosper. We have seen that in 1828 there were some eighty in operation, and each year the general assembly incorpo-

rated new ones. Some ninety-seven had been organized up to 1832, and from that time the number rapidly increased. From 1832 to 1850 one hundred and seventy-two were incorporated, and from 1850 to 1860 forty-nine more. The list of their names is curious reading, biblical, classical, patriotic, Indian, local, and nondescript cognomens abounding. Among them we may mention Leonicera, Byron, Jackson, Jefferson, Madison, Washington, Wellington, La-Fayette, Cicero, Ebenezer, Sugar Maple, Pond Town, Hickory Flat, Liberty Plains, Vineland, Warrior, Bethel, Buckeye, Mount Carmel, Mount Bethel, Mount Enon, Mount Horeb, Mount Gilead, Mount Zion, Hebron, Goshen, Zebulon, Buena Vista, Keg Creek, Rum Creek, Traveler's Rest, Malmaison, Villanow, Toweliga, Etowah, Attapulgas, Phidelta, Halloca, Rehoboth, Rehobothville, Pond Town, Sardis, Snake Creek, Eudisco, and Philomathia Academies. One is called Columbia, and not to be outdone, another is incorporated as Columbiana Academy; another is originally incorporated as the Farmer's Academy, and then, with an affectation of elegance, procures the General Assembly to re-baptise it as the Planter's Academy. Still another is the Constitutional Hall Academy, and one is Dried Indian Mountain Academy!

The fact is, that with the exception of the well endowed Richmond Academy in Augusta, and possibly some few others, these academies were little more than "the old field school," so well remembered by the elder generation. Probably a fair account of them as they existed for many years in most parts of the State, may be found in Judge Longstreet's sketch, "The Turn Out," in Georgia Scenes. The story turns upon a school-boy custom of taking possession of the school-house, and barring or turning the teacher out until he agreed to give them a holiday. It was Easter, and the urchins, having boiled and colored in all the hues of the rainbow an immense number of eggs, were anxious for a day or so in which to "peck," them, that is, knock point against point, the boy whose egg broke in the encounter forfeiting the same to his antagonist. The teacher was generally quite willing to grant the holiday, but, for form's sake, and not to displease his patrons, would make a stout preliminary resistance. On this occasion, the boys had strongly entrenched themselves, and our author thus describes the academy they had converted into a citadel: "It was a simple log-pen, about twenty feet square, with a doorway cut out of the logs, to which was fitted a rude door, made of clapboards, and swung on wooden hinges. The roof was covered with clapboards, also, and retained in their places by heavy logs placed on them. The chimney was built of logs diminishing in size from the ground to the top, and overspread inside and out with red clay mortar." Over the door of this seat of learning was a board bearing the word "academy." Our author then depicts the arrival of the enemy before the fortress Though previously apprised of what was going on, the pedagogue gave signs of great astonishment and indignation, when he advanced to the door, and was assailed by a whole platoon of sticks from the

cracks. He sternly demanded admittance. "Give us holyday," said twenty little urchins within, "and we'll let you in."

"Open the door of the *Academy*," (he would allow no one to call it a school-house.) "Open the door of the academy this instant," said he, "or I'll break it down."

"Break it down," said Pete Jones and Bill Smith, the big boys of the school, "and we'll break you down."

A terrific encounter ensues, but the pedagogue is repulsed. Then he seeks to work on the fears of the garrison by hunting up their stores of eggs, hidden in stumps and other recesses about, but the boys are proof against the menace. He then batters down the door; the boys swarm all over him, and peace is finally made by conceding the holyday.

In 1860 the laws of Georgia were ordered to be digested into a code. The commissioners appointed to perform this work took upon themselves a considerable power of legislation, justifying the same upon their interpretation of the authority confided in them as meaning that they were "not only to condense and arrange the verbose and somewhat chaotic mass of the statutes of Georgia, but also to interweave therewith those great leading principles of jurisprudence necessary to fill out and make perfect the body of our laws, of which the statutes constitute but disjointed parts." Acting under this very liberal construction, they did considerable "interweaving" in the matter of education, as on other topics committed to their care, and, in fact presented a general educational code, which, while retaining the main features of the old system, contained a number of new principles. The Legislature subsequently adopting the code as a whole, what is therein written may be taken as embodying the educational system of the State at the time of such adoption, and until some ten years later a new one was devised. The substance of the codified system is as follows:

The university was shorn of its supervisory power over the academies and poor schools, and the academies and poor schools were kept distinct as they had been before. The justices of the Inferior Courts in the several counties were vested with power, upon the application in writing, of any body of citizens not less than three nor more than thirteen, to incorporate them as an academy, institute, or school, the powers granted to be distinctly specified, recorded on the minutes of the court, and published three times in some public gazette. The justices were also given authority to appoint trustees for any county academy, whether incorporated or not, and to any number by them deemed expedient, and to fill vacancies therein. The authority of the trustees, unless specially restricted by statute, was to elect teachers, fix their salaries and terms of office, prescribe the course of studies, manage the finances, and adopt such rules and regulations for the government of their respective institutions, as they might see fit.

The poor schools, or common schools, as they were now called, were to be supported out of the educational fund of the State, which fund was made up as follows: First, the dividends upon the stock owned by the State in the Bank of the State of Georgia, the Bank of Augusta, and the Georgia Railroad and Banking Company. At this time the State owned 1833 shares of the stock of the Bank of the State of Georgia, 890 shares of Bank of Augusta stock; and 186 shares of Georgia Railroad stock; second, one hundred thousand dollars annually from the net earnings of the Western and Atlantic, or State, Railroad, in addition to this, as fast as any of the then existing State debt was paid out of the earnings of that road, the treasurer was to issue six per cent. education bonds to that amount, the interest thereof to go to the educational fund; third, any undrawn balances of the $100,000; fourth, any balance in treasury after defraying all expenses of the State government; and fifth, any donations by will, deed, or otherwise, for educational purposes.

This fund was pro-rated among the several counties as follows: by the third Monday in November of each year, the ordinary was to report to the governor "the whole number of children in his county, as ascertained from the tax receiver's digest, his own knowledge, and the knowledge of the grand jury," it being provided that the ordinary should submit the list as made up by him from his own knowledge and the tax books to the grand jury, to be corrected by them, if necessary. On receiving these reports, the governor was to pro-rate the fund among the counties reporting, any county not reporting at the appointed time to lose its share in the fund, and draw his warrant in favor of the treasurer of the county school board. The educational fund of the county was thus made up:

1. The county's quota of the State educational fund.
2. Proceeds of county tax levied for educational purposes.
3. Proceeds of sales of escheated property.
4. Money arising from fines and forfeiture, after deducting charges thereon, and amounts recovered on *qui tam* actions, where half or all was to go to the State or county.

The justices of the Inferior Court had authority to levy such tax for educational purposes, as the grand jury of the county might recommend. Should there be no such recommendation, the justices were empowered to levy a tax of not exceeding twenty-five per cent. on the rate of the State tax.

The county educational board consisted of the justices of the Inferior Court, the ordinary, and one citizen selected by the judge of the Superior Court; and had power "to disburse the school fund in their respective counties in the manner that, in their judgment, will best promote the cause of general education under the law"; to examine all teachers who participate in the school funds upon the elementary branches, and also upon English grammar and geography, if the teacher applying shall desire, and to give said teacher the proper

certificates of their qualification; to publish annually the school system adopted, rates of tuition, receipts and expenditures, itemized; and to meet at least once a month.

It was not compulsory upon the board to establish common schools, but it was to do so when the educational fund of the county and the state of the population warranted the same in their judgement.

All children between the ages of six and eighteen were entitled to attend the common schools, "but children of parents who are unable to educate them, children discarded by their parents, and indigent orphan children, must first be provided for."

These special beneficiaries were to be ascertained as follows: Each parent was, in making his tax returns, to state, under oath, the number of his children, or children under his charge, between the ages of six and eighteen; the ordinary was to select from the tax books the names of those who, from poverty of parent, or otherwise, had not the means of education, adding any unreturned cases to his knowledge; and the grand jury was to add any such cases in their knowledge. Moreover, any citizen might report to the board of education the names of any poor children omitted from the list.

The course of instruction was to be only the elementary branches, the law stating that "by the term elementary branches is meant spelling, reading, writing, and arithmetic," but in no event was the expense to exceed sixteen dollars per scholar per annum. By special permission scholars might study English grammar and geography, or any other study, always provided the above cost was not exceeded.

After the act of 1858, assisting that of 1852, had provided a fairly competent fund for the poor schools, the returns of the number of children of school age show a marked increase. Probably the county authorities had been for years derelict in this respect because deeming the report a mere idle form. The returns for 1854 showed 42.467 poor children, and the fund that year was but $23,388, or not quite 53 cents per head. In 1858 the fund was $29,569, and the largest amount going to any one county was $761; two receiving only $42. In 1859 the educational fund paid out was $150,163; the number of children between eight and eighteen, as ascertained by a State census that year taken, was 129,440. It must be understood, however, that this is the sum total of all the children, not the indigent only. For 1860 the number of children between six and eighteen years of age was 159,341, and the educational fund disbursed to the counties was $150,000.

The outbreak of the war prevented this system from having a fair trial, but there is reason to think that, between the academies and the poor schools, education was made pretty general. It will be seen, however, from the review which has been given, that, up to 1858, the county academies were the main educational resource, and that children whose parents were unable to send them

to the academy were dependent for instruction on the poor schools. How meager that resource was has been shown. Richmond county shared in the general famine. Its report for 1828 was as follows: "Richmond county, number of scholars, male 22, female 17, total 39. No report of funds received or expended; several school bills presented, but for want of funds could not be liquidated." For 1830 the report was: "Number of children returned between the ages of three and twenty is 177, males 94, females 83, of whom 104 are attending school; amount received $636.75, disbursed $283.78." What sort of school must have been kept for 104 children on $283.78?

For 1831 the poor schools of Richmond received $343.30 from the State. In 1831 there were 135 poor scholars, and the fund was $451. In this year the trustee, George A. B. Walker, recommended the abolition of the system in that county. From the table heretofore given it will be seen that, for a number of years following this date, the total poor school fund was about a constant quantity, from which we may infer that there was no improvement in Richmond.

This state of affairs animated some notable benefactions to the cause of free education by citizens of Augusta in bygone years. Prominent among them is the bequest of John W. Houghton, which still perpetuates his memory in the Houghton Institute, a flourishing seminary. Mr. Houghton was a native of Massachusetts, who settled in Augusta some sixty odd years ago. Shortly after his arrival he opened a store on Lower Broad street, and engaged in the shoe and leather trade. After years of close economy and strict attention to business he accumulated a fortune, and at his death left a sufficient amount for the erection of a brick building and the endowment of a school that should bear his name and "be free to all the children of Augusta."

By a provision in his will the city council was made the custodian of this fund. In 1851 a large lot on Greene street, between Lincoln and Elbert, was selected as the site upon which to erect the new school-house, and during the following year a massive structure, well ventilated and comfortably furnished, was appropriately dedicated. Two teachers were elected by the city council—one for the male department, the other for the female—and the school opened under favorable auspices. For many years the number of pupils upon its rolls was rather limited, and the grade scarcely any higher than that of an intermediate school of the present day. After the war a new impetus was given under the leadership of Hon. M. V. Calvin, then principal of the institute, which caused many to patronize the school.

In October, 1872, Mr. J. Cuthbert Shecut, a graduate of South Carolina University, was elected principal of the institute. He immediately reorganized the school, and adopted the graded system of classes and departments, with results most beneficial to the pupils and most satisfactory to the community. This system, with many improvements, stood the test of years, and is still in successful operation at the institute.

Martin V. Calvin.

The institute is divided into two schools, male and female, under the supervision of one head—the principal. Each school consists of four departments, viz.: Primary, intermediate, grammar and high school. In each of the primary departments there are three grades or divisions—the higher departments being divided into two grades. Each grade is again subdivided into classes, in accordance with the rank of the department, and over the entire department a competent teacher presides.

In the primary and intermediate departments, the elementary branches are taught in regular graduation. In the grammar departments the pupil is taught the higher branches in the English language, and begins the study of Latin. In this grade the attention of the learner is directed to an analysis of the objects of his study. The high school is the scientific grade. In this department the student completes the following course of study: Rhetoric, English synonyms, Latin, French, algebra, geometry, physical geography, physics, astronomy, anatomy and physiology, and chemistry. The topics which the different studies present are illustrated by means of apparatus.

At the close of each scholastic year examinations, oral and written, are held in the institute hall. Cards of promotion are given to all pupils who successfully pass their examination, and diplomas of graduation are presented to the successful competitors of the high school department.

Thousands of young men and young women have received their education at the old Houghton. So popular has it become that the committee in charge have already decided to enlarge the building. From an humble origin the Houghton has become "a bright and shining light," and an inestimable blessing to the community.

The institute is under the charge and control of the city council. The teachers are one male principal and such number of male and female assistants as council may determine, all elected annually, and receiving salaries fixed by council.

The Augusta Free School is a venerable institution founded before 1821, and still in useful operation. In that year Rev. William T. Brantley, Rev. William Moderwell, Augustus Moore, William J. Hobby, Ralph Ketchum, Samuel Hale, Hugh Nesbit, Joel Catlin, Abiel Camfield, Robert Raymond Reid, Carlos Tracy, John Campbell, and Thomas McDowell were incorporated as "The Augusta Free School Society." Mr. Richard Tubman and others were generous benefactors of this school. Mr. Thomas Snowden, one of the most successful instructors ever known in Augusta, was for a long time principal, and at one time Hon. Martin V. Calvin occupied the same position. The school is now used for primary instruction, and is not incorporated with the general public school system.

Of the Richmond Academy we have elsewhere in this work spoken at length, and need here only say that this is the oldest incorporated institution

of learning in Georgia—with two exceptions, in Virginia, the oldest in the Southern States. The College of Charleston, next in order of time, is less venerable by several years. Both were founded under the same impulse, and to meet the same social exigencies,—the education of the youth of the State at home.

No school of learning has been more intimately connected with all the interests of the community in which it has been established. By its charter its trustees were *ex-officio* commissioners of the town; and, indeed, the general supervision of the interests of the town continued until the incorporation of the city in 1798. From 1780 to 1786, while Savannah (the seat of State government) was occupied by the enemy, Augusta was declared the temporary capital of the State, and there being no public buildings in Augusta suitable for the purpose, those of the academy were used as the State House, and the State and Federal Courts were held there. The academy then occupied its old site on Bay street, just below the residence of Josiah Sibley, esq. There, in 1791, President Washington attended the commencement exercises of the academy and the ball given to his honor by the citizens. The board of trustees have most faithfully and continuously carried forward the trust confided to them —to establish "a seminary of learning for the education of our youth."

The course of study includes besides the Latin, Greek, French, German and English languages, a thorough mathematical course from arithmetic to calculus, a popular course of natural philosophy, theoretical and analytical chemistry, astronomy, geology, and also a course of physiology and hygiene. The present building was erected in 1802 at a cost of some $20,000. The school was opened in 1785, a Mr. William Rogers, of Maryland, being appointed "master of the academy," with a salary of £200, and the use of the master's house and garden. He had the assistance of one tutor and was required to teach the Latin, Greek, and English languages and the common practical branches of mathematics. The highest rate of tuition was ten dollars per quarter. The academy remained in successful operation till 1864, when it was converted into a hospital by the Confederate government. For a couple of years after the close of the war it was used by the United States troops as a barracks, but on January 1, 1868, was reopened and has since been in successful operation. Its business affairs appear to have been carefully managed during its century of existence. In 1845 it was reported as having buildings, library and apparatus worth some $30,000, annuity from real estate of $16,000, and some $12,000 in bank stock At present its income is sufficient to defray all expenses and add about $1,000 annually to the endowment fund.

In 1815 the trustees of the Richmond Academy were authorized "to establish a seminary of learning on the Sand Hills, near Augusta, to be held and considered as a branch of the Richmond Academy, and to be governed by such rules and regulations as govern the said institution." The Sand Hills, subse-

quently Summerville, Academy, was founded under this authority, and remained a part of the Richmond Academy until 1866, when it became a separate institution. It may here be added, as a fact little known, that in 1854 an effort was made to change the name Richmond Academy to that of the Tubman College. In that year the Legislature passed an act to empower the trustees of the academy of Richmond county to change the name of that institution to the Tubman College, and authorizing them under that name to have all necessary corporate powers and to use the property then held or owned by them for the academy. The then trustees of the academy were made trustees of the college, and empowered to add other trustees, so that the total number should not exceed fifteen, and all laws relative to the academy were made applicable to the college. The proposed change was not made.

The Constitution of Georgia framed in 1861, by the same convention which adopted the Ordinance of Secession, contained the following provision: "The General Assembly shall have power to appropriate money for the promotion of learning and science, and to provide for the education of the people."—Art. II., sec. 5, part 4.

The constitution adopted in 1865 had this clause: "The General Assembly shall have power to appropriate money for the promotion of learning and science, and to provide for the education of the people, and shall provide for the early resumption of the regular exercises of the University of Georgia, by the adequate endowment of the same."—Art. II., sec. 5, part 3.

Thanks to the industry of Peterson Thweatt, comptroller-general during the war, and one of the best officers ever holding this position, we have a pretty clear account of educational matters from 1860 to 1865, and here tabulate the statistics of the comptroller's reports:

	Children 6 to 18.	Education Fund Disbursed.
1860	159,341	$150,000
1862	156,848	147,131
1863	97,467	137,524
1864	152,170	79,787

In 1865 the State road was destroyed; by that time, also, the banks were suspended, and the only source of educational revenue left was the interest on education bonds, $23,355. Even this fund existed only on paper.

Well might Governor Jenkins, on the restoration of peace, inform the Legislature that among the other disasters of the war the sources of supply to the educational interests had been dried up. Before passing to the *post bellum* period we may here give some synopsis of the legislation and policy of the State in respect to the education of the colored race. The inhibition on the education of the slaves or free negroes dates from colonial days. In the year 1770 the Provincial Assembly passed an act, or rather a code of laws, relative to the colored population of the colony, and in this among a multitude of regulations,

appears the following clause: "And whereas the having slaves taught to write, or suffering them to be employed in writing may be attended with great inconvenience: Be it therefore enacted that all and every person and persons whatsoever, who shall hereafter teach, or cause any slave or slaves to be taught to write or read writing, or shall use or employ any slave as a scribe in any manner of writing whatsoever, every such person and persons shall for every such offense, forfeit the sum of twenty pounds sterling." In 1829 it was enacted that "If any slave, negro or free person of color, or any white person, shall teach any other slave, negro, or free person of color to read or write either written or printed characters, the said free person of color or slave shall be punished by fine and whipping, or fine or whipping, at the discretion of the court; and if a white person so offend, he, she, or they shall be punished with a fine not exceeding five hundred dollars, and imprisonment in the common jail at the discretion of the court before whom said offender is tried."

In the same year, 1829, it was also enacted that "if any slave, negro, mestizo, or free person of color, or any other person, shall circulate, bring, or cause to be circulated or brought into this State, or aid or assist in any manner, or be instrumental in aiding or assisting in the circulation or bringing into this State, or in any manner concerned in any written or printed pamphlet, paper, or circular, for the purpose of exciting to insurrection, conspiracy, or resistance among the slaves, negroes or free persons of color of this State, against their owners or the citizens of this State, the said person or persons offending against this act shall be punished with death."

In 1833 the penal laws of the State were codified, and in this code the foregoing provisions, as also one against the employment of colored persons in printing-offices, were incorporated as follows: "If any person shall teach any slave, negro, or free person of color, to read or write either written or printed characters, or shall procure, suffer, or permit a slave, negro, or person of color to transact business for him in writing, such person so offending shall be guilty of a misdemeanor, and on conviction shall be punished by fine or imprisonment in the common jail of the county, or both, at the discretion of the court.

"If any person, owning or having in his possession and under his control any printing press or types in this State, shall use or employ, or permit to be used or employed, any slave or free person of color in the setting up of types, or other labor about the office, requiring in said slave or free person of color a knowledge of reading or writing, such person so offending shall be guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding one hundred dollars.

"If any person shall bring, introduce, or circulate, or cause to be brought, introduced or circulated, or aid, or assist, or be in any manner instrumental in bringing, introducing, or circulating within this State, any printed or written paper, pamphlet, or circular for the purpose of exciting insurrection, revolt,

conspiracy, or resistance on the part of the slaves, negroes, or free persons of color in this State, against the citizens of this State, or any part of them, such person so offending shall be guilty of a high misdemeanor, and on conviction shall be punished with death."

In 1841 it was enacted that "if any shopkeeper, storekeeper, or any other person or persons whatsoever, shall sell to, barter, or in anywise furnish, or allow to be furnished by any person in his, her, or their employment, any slave, negro, or free person of color, any printed or written book, pamphlet, or other written or printed publication, writing paper, ink, or other articles of stationery for his, her, or their use, without written or verbal permission from the owner, guardian, or other person authorized, such person or persons so offending shall, upon conviction thereof, pay a fine of not less than ten dollars nor more than fifty dollars, for the first offense, and upon conviction of a second offense, be subject to a fine and imprisonment in the common jail of the county at the discretion of the court, not to exceed sixty days imprisonment and five hundred dollars fine."

In 1867, while not as yet fully rehabilitated, the State was reconstructed. The constitution adopted by the convention which met in Atlanta in 1868 provided for a poll tax of one dollar annually on each poll to be used for educational purposes exclusively. It further provided that the General Assembly at its first session after the adoption of the constitution should "provide a thorough system of general education, to be forever free to all children of the State, the expense of which shall be provided for by taxation or otherwise"; and that "the poll tax allowed by this constitution, any educational fund now belonging to this State—except the endowment of and debt due to the State University —or that may hereafter be obtained in any way, a special tax on shows and exhibitions, and on the sale of spirituous and malt liquors—which the general assembly is hereby authorized to assess—and the proceeds from the commutation for militia service, are hereby set apart and devoted to the support of common schools. And if the provision herein made shall at any time prove insufficient, the general assembly shall have power to levy such general tax upon the property of the State as may be necessary for the support of said school system. And there shall be established as soon as practicable, one or more common schools in each school district in this State." The constitution also provided that there should be a State school commissioner. In 1870 an act was passed to establish a system of public instruction, the main features of which were as follows: there was to be a State board of education, consisting of the governor, the attorney-general, the secretary of State, the comptroller-general, and the State school commissioner; there was also to be a county board of education made up of one member from each militia district, and one from each town or city ward, to be elected by the people and hold two years. The State educational fund was to be apportioned to the counties in proportion

to the number of persons between six and twenty-one years of age therein; the county boards were to institute schools and apportion and disburse the county's quota of the fund. The course of instruction was to be orthography, reading, writing, arithmetic, English grammar, and geography. Provision was made for evening and ambulatory schools.

Up to 1872 the public schools in Augusta were conducted under this act; but in that year a local law was passed which regulates public instruction in the city and county, one school board having entire charge thereof. The details of this system are as follows:

The board of education consists of thirty-seven members—three from each of the five city wards, five country districts, two incorporated villages and the ordinary of the county, *ex-officio*. Members must be freeholders and residents of the county. The term of office is three years, and an election occurs every November to fill the vacancies on the board, the term of one-third of the members expiring annually. The board meets regularly on the second Saturday of each month, and the president is chosen from among its members. The secretary, who is also the county school commissioner, is chosen annually at the meeting in January.

The schools in each district and village in the county are under the entire control of the local trustees. The teachers are chosen by them, the length of the term is regulated by them, and all matters pertaining to the schools are referred to them, under regulations of the board of education. In the city the schools are under the charge of the conference board of city trustees, which consists of all the members from the five wards.

The finances of the board are under the control of the finance committee, which meets on Friday before the regular meeting of the board of education. They audit all accounts, examine all the books, and present the monthly expenses of all the schools to the board at each regular meeting. They are not authorized, however, to audit any account that is not approved by a majority of the local trustees of the ward or district wherein the expenditure is to be made, except the high school accounts, which are approved by the secretary.

The school fund at the disposal of the board is annually divided, according to the school population, among the city wards, the five county districts and the two villages, after reserving a fund for the general expenses of the board and for the high schools. By this means each set of local trustees can see the amount at their disposal, and can regulate their schools accordingly. They can have few or many teachers, a long or short term, build and repair, just as they please and as their funds permit. Each district, village and the city wards run a separate set of schools, and yet the whole system is controlled by one board of education, and the actions of the various local trustees are under the supervision of suitable committees from the general board.

The secretary and county school commissioner is in general charge of the

whole. He is required to visit all schools, to examine and instruct the teachers, keep a record of the financial operations of the board, and in every way to promote the general interest of education in the county.

The Tubman High School is for young ladies. Pupils are admitted to the school upon payment of a tuition fee of seven and a half dollars per term, in advance, which is fifteen dollars for a school year. The principal examines all applicants for seats, unless they bring promotion cards from the grammar schools. The course of study is well chosen, and all pupils desiring promotion or graduation are subject to rigid examination at the close of each term. The young lady in the graduating class who receives the highest mark during the year is entitled to the Davidson medal. She is also entitled to a scholarship in the Wesleyan Female College, of Macon, Ga. The young lady who receives the second highest mark is entitled to a scholarship at Lucy Cobb Institute. A scholarship for general excellence is also offered by the Millersburg College, in Kentucky. Regular diplomas are given to the graduating classes at the annual commencement exhibitions in June.

The Colored High School is conducted in every regard as the Tubman High School, except that a fee of five dollars a term, in advance, or ten dollars for a school year, is demanded of the pupils.

In the selection of teachers to fill the public schools everything being equal, preference is given to the graduates from the high schools of the county.

The teachers in the high schools are chosen by the entire board of education. Those in the city schools are chosen by the conference board of city trustees, which consists of the members from the five wards. Those in the country districts are chosen by the local trustees of the district in which the school is situated. No person can be considered as an applicant for any public school, nor entitled to election as such, unless possessed of a certificate of qualification signed by the president and secretary.

The method of securing the certificate of qualification is as follows: The applicant must write an application for examination as teacher, have it endorsed as to good moral character by at least two persons of good standing, address it to the board of education, and place it in the hands of the secretary.

The secretary reads the application to the board at the next regular meeting, and they order the examination to be held. At any convenient season the secretary examines the applicant upon reading, spelling, writing, geography, history, grammar and arithmetic, and upon other branches of study desired. The result of the examination is reported to the next meeting of the board, and according to the degree of proficiency in the studies the secretary recommends a certificate of the first, second and third grade to be granted, which is accordingly done. If the applicant is possessed of a diploma, this will entitle him, without examination, to a certificate of the first grade, though the application must be made as above. A certificate of the third grade entitles a teacher to teach

in the primary school only; of the second grade to teach in the intermediate school, and of the first grade to teach a grammar or high school. The first grade certificate is good for three years, the second grade for two years, and the third grade for one year.

No child under six or over eighteen years of age is allowed to enter the public school system. Pupils are required to attend the school that is nearest to them, and in case of the districts in the country no pupil is allowed to attend a school that is in another district from the one in which he lives, except by mutual consent of the local trustees of both districts.

If the patrons of any school become dissatisfied with the teacher, and do not desire to send their children, their remedy is not in sending them to other schools, but in presenting a written petition to the local trustees requesting the teacher to be displaced and some other one put instead, and support their petition by proof of incompetency.

In the admission of pupils to the schools upon the opening of any term the following rules are always complied with by the teachers:

First. Pupils are admitted to the schools according to the priority of their application. Due regard is paid to the application of those pupils who reside in the ward in which the school is situated. In so far as possible, pupils are required to attend the schools in the wards of their residence.

Second. Pupils holding promotion cards from any public school teacher are entitled to highest preference above pupils who hold no cards. Of these pupils those who are promoted in the same building are first enrolled. In all cases where pupils are not promoted they are allowed to retain their seats under their former teacher.

Third. The rolls of all the schools are to be made up on the day that the school opens. Seats are not reserved for absent pupils. After a pupil has taken his seat he is required as soon as possible to provide himself with the necessary books, and failure to do this will vacate his position. So long as the pupil is studious and obedient, and attends to the laws of the school, he may retain his place, but the strictest regulations are enforced concerning the suspension and expulsion of pupils who neither study nor behave. Corporal punishment is allowed to be inflicted on boys only. There are no expenses connected with the schools, except that of janitors' fees, which amount to about seventy-five cents a year for each pupil.

At the end of each term—that is in February and in June—pupils are required to pass an examination, written or oral, of what they have been taught during the previous months. The questions are generally prepared by the superintendent, in conjunction with the teachers, and are exhaustive under each topic. After the pupils have been examined, each one is marked according to his answers in each study. From this his general average is formed, and from the general averages the average of the school can be found. All these marks

and averages are put down in the appropriate reports and filed in the office of the superintendent. Thus the examinations are made matter of record from year to year.

The schools are divided into primary, intermediate, grammar and high schools. The primary comprises three classes; the intermediate and grammar grades, two classes each; and the high schools, three classes; each class corresponding to one year.

The scholastic year begins on the Monday nearest the middle of September, and closes on the last school day in June. The daily sessions are from 9 A. M. to 2 P. M. Sixty schools are now in operation, seventeen in the city, eight white, and nine colored; and forty three in the country, twenty-five white and eighteen colored, with a total enrollment of 6,121 pupils, white 3,390, colored 2,731. The whites are divided as follows: boys, 1,446, girls, 1,944; the colored: boys, 1,237, girls, 1,494. There are 105 teachers employed, their salaries ranging from $35 to $50 per month in the white schools, and from $20 to $40 in the colored. The fund for 1888 was $43,687.61. Prior to the institution of this system Hon. John S. Davidson was president of the local board. Under the system the first president was John T. Shewmake, who was succeeded by George R. Sibley, and he in turn by Mr. Davidson, who has been the presiding officer for the last ten years. The superintendents have been Martin V. Calvin, A. H. McLaws, Benjamin Neely, and Lawton B. Evans. The Richmond county school system claims to show by its records that it educates at less cost *per capita* than any system in the South. We here subjoin a tabular statement of the number of teachers employed.

Average daily attendance, school funds, and cost per scholar since 1877, when the statistics of the system were regularly kept:

Year.	Teachers.	Average Daily Attendance.	Fund.	Cost per Scholar.
1877	81	2,169	$28,751.24	13.26
1878	79	2,150	29,059.18	13.52
1879	82	2,096	29,369.06	14.01
1880	82	2,061	31,112.00	15.10
1881	99	1,974	32,010.37	16.22
1882	104	2,809	33,734.61	12.01
1883	120	2,880	39,370.14	13.67
1884	112	3,066	49,650.75	16.39
1885	113	3,119	45,435.83	14.57
1886	104	3,287	45,915.78	13.97
1887	104	3,212	45,858.01	14.28
1888	105	3,318	52,576.20	15.85

The fund is made up of the county's proportion of the State educational fund, the poll tax collected in the county, the tuition fees as above stated, and the special school tax levied by the School Board. For the period above

stated the receipts from these sources in round numbers are: school tax, $360,000; State fund, $65,000; poll tax, $22,000; tuition, $17,000; total, $464,000.

The establishment of the public school system has done away with private educational establishments in Augusta with the exception of a business college conducted by Professor Osborne, and three Catholic institutions, namely: St. Patrick's Commercial Institute, conducted by a religious fraternity, and St. Mary's Academy, established in 1853, and the Sacred Heart Academy, established in 1876, both founded and conducted by "The Sisters of the Order of Our Lady of Mercy."

CHAPTER XXVIII.

BANKS AND BANKING.

Two Eras, 1810 to 1865, and 1865 to Date—The Old Bank of Augusta—Its Incorporators—Voting on a Sliding Scale—Old Bank Rules—Death to Counterfeit its Notes—Germs of Bank Examinations—The Old Bank's Good Showings—A Surplus Fund a Novelty—Balance Sheet of 1835—List of Stockholders—Other Old Banks—First Savings Bank in 1827—Its expenses $4.55 per annum—The Old Augusta Savings Institution—Augusta Insurance and Banking Company Almost Ruined by the Fire of 1829—President Bennoch's Tart Report to the Governor—Report of 1833—List of Stockholders—Merchants' and Planters' Bank—Its Failure in 1833—Legislative Report Thereon—The Mechanics' Bank—Report for 1833—List of Stockholders—The Union Bank—The City Bank—The Georgia Railroad given Banking Franchise—Its Capital Stock and Dividends, from 1836 to 1847—Its Banking Business, from 1847 to 1864—Discounts, Deposits, and Circulation for Same Period—Early Banking—Banking at Will—Prohibition of Change Bills—Suppression of Private Banking—Severe Penalties—No Notes Under Five Dollars—Forfeiture of Charter on Suspension of Specie Payments—Free Banking Law of 1838—Analagous to National Bank Act—Land and Negroes a Basis of Issue—Panic of 1837—Panic of 1857—"The War of the Banks"—Banking Capital in 1835, in 1838, in 1860—Dividends, 1829 to 1838—Great Prosperity Just Before the War—Increase of $133,000,000 in Two Years—Wealth of Richmond County in 1860—Outside of Slaves $20,000,000—War-Bonds, Specie Suspension—The Banks Exhaust Themselves Helping the Confederacy—Banking During the War—Demise of the Old Banks—Banks Since the War—National Bank—National Exchange Bank—The State Banks—Renewal of Banking Franchise to the Georgia Railroad—Dividends, from 1836 to 1861, Under First Franchise—Dividends, 1861 to 1881—The Commercial Bank—The Augusta Savings Institution—Planters Loan and Savings Bank—Banks Chartered Since the War, but Not Organized—City Loan Association and Savings Bank—Mechanics' Savings Bank—City Loan and Savings Bank—Manufacturers' Bank—Citizens' Bank—City Bank—Savings Bank of Augusta—Name Changed to Bank of Augusta—Its Failure.

THE history of banking in Augusta begins in 1810, when the old Bank of Augusta was incorporated, and may be considered in two epochs; namely before, and since 1865. Prior to the war the system of State Banks prevailed

since the war the National bank and State systems have both obtained. Up to 1838 there was no uniform banking law in Georgia, but in that year a general act providing for the incorporation of banking institutions was passed. In 1837, and again in 1857, financial panics, prevalent throughout the country, exerted their full influence in Augusta. At the outbreak of the war the banks of Augusta risked their all on the success of the Southern Confederacy, and at the end of the struggle went down in the common ruin. With the rehabilitation of the State, banking revived, and, as has been stated, both National banks and State banks now carry on business in the city. The details of the history thus tersely outlined, let us now proceed to give.

In 1810 there was passed "An act to incorporate the Bank of Augusta." From the language of this statute it appears that, for some time prior, there had been a bank in the city, the preamble of the act reading: "Whereas Thomas Cumming, president, and John Howard, Richard Tubman, John McKinne, James Gardner, Hugh Nesbit, David Reid, John Moore, John Campbell, John Willson, Anderson Watkins, John Carmichael, and Ferdinand Phinizy, directors of the said bank, have petitioned the Legislature that they, the said president and directors, and others, the stockholders of the said bank, may be incorporated under the name of the Bank of Augusta." The act then proceeds to incorporate petitioners by the name and style of "The president, directors, and company of the Bank of Augusta," and to declare that, by that name, they "shall be, and are hereby made, able and capable in law to have, purchase, receive, possess, enjoy, and retain to them and their successors lands, rents, tenements, hereditaments, goods, chattels, and effects of what kind, nature, or quality whatsoever, and the same to sell, grant, demise, alien, or dispose of, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in courts of record, or any other place whatsoever; and also to make, have, and use a common seal, and the same to break, alter and renew at their pleasure, and also to ordain, establish, and put in execution such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of the said corporation, not being contrary to the laws, or to the constitution of this State, or of the United States, or repugnant to the fundamental rules of this corporation; and, generally, to do and execute all and singular such acts, matters, and things which to them it shall or may appertain to do; subject, nevertheless, to the rules, regulations, restrictions, limitations, and provisions hereinafter prescribed and declared."

The charter was to expire on May 1, 1830, and thirteen directors were to be chosen annually on the first Monday in December. The method of selection was quite curious. The number of votes to which each stockholder was to be entitled in the election of directors was fixed on a sliding scale, as follows: "For one share, and not more than two shares, one vote; for every two shares above two, and not exceeding ten, one vote; for every four shares above

ten, and not exceeding thirty, one vote; for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above one hundred, one vote; but no person, corporation, copartnership, or body politic, shall be entitled to more than thirty votes, and no share or shares shall confer a right of suffrage which shall not have been holden three calendar months previous to the day of election, and unless it be holden by the person in whose name it appears, absolutely and *bona fide* in his own right, or in that of his wife, and for his or her sole use and benefit, or as executor or administrator, or guardian, or in the right and use of some copartnership, corporation, or society, of which he or she may be a member, and not in trust for, or to the use of, any other person; any stockholder, being absent, may authorize, by power of attorney under seal, any other stockholder to vote for him, her, or them."

Two weeks before the election of directors a full list of stockholders was to be made out and opened to the inspection of any stockholder desiring to see the same, "to the end that public information may be given to the parties concerned of their co-proprietors and stockholders; and to prevent a division of shares, in order to obtain to the person or persons so dividing them an undue influence, the managers of elections for directors shall administer to every stockholder offering to vote the following oath: 'You, A. B., do swear (or affirm) that the stock you now represent, is *bona fide* your property, and that you are a citizen of the United States, and that no other person or persons is or are concerned therein;' and to any person voting by proxy for a minor, or in right of or in trust for any other person entitled to vote, the following oath: 'You, A. B., do swear (or affirm) that the stock of C. D., whom you now represent, is, to the best of your knowledge and belief, the property of the said C. D., and that he is a citizen of the United States, and that no other person or persons is or are concerned therein;' and any stockholder refusing to take such oath or affirmation shall not be allowed to vote at any such election."

At their first meeting the directors were to elect a president out of their number, and any vacancies in the board were to be filled by the other members.

The following fundamental rules for the government of the bank were then enacted: 1st. The capital stock was to be $300,000, in $100 shares, $50,000 whereof was to be reserved until January 1, 1812, for the State, should it see fit to subscribe; in which event the governor, treasurer, and comptroller general were to have the right to select two of the directors.

2d. By a majority vote of the stockholders, the stock was increaseable up to $600,000, one-sixth of any increase to be reserved for the State, and, if not taken by the next session of the Legislature after such increase, to be thrown open to the public, the State, if subscribing, to appoint another director.

3d. None but a stockholder, being a citizen of the State of Georgia, shall

be eligible as a director, and no director of any other bank shall at the same time be a director of this bank; any director ceasing to be a stockholder to lose his seat at the board.

4th. The board of directors had power to appoint a cashier and other officers, fix their compensation, and make by laws by a majority vote.

5th. The cashier was to give bond in such sum as the directors might require, and he, the president, and all other officers of the board, were to take the following oath: 'I, A. B., do solemnly swear (or affirm) that I will well and faithfully discharge the duties of president or cashier, or other officer (as the case may be), of the board of the Bank of Augusta,' which oath was to be subscribed and entered on the minutes.

6th. Seven directors were to form a quorum, of whom the president was always to be one, except in case of sickness or necessary absence, when the board was to elect one of its members in his place.

7th. The board by a majority vote could call a general meeting of stockholders at any time, giving thirty days' notice in some newspaper in Augusta, Washington, Wilkes county, Milledgeville, and Savannah, and specifying therein the object of the meeting.

8th. In case of death, resignation, or removal of the president, the board was to fill the vacancy.

9th. The directors were to prescribe how transfers of stock should be made.

10th. Bills obligatory and of credit, under the seal of the corporation, were assignable by endorsement; the bank bills or notes were to be signed by the president, countersigned by the principal cashier or treasurer, and negotiable by delivery.

11th. No transfer of stock was to be valid unless entered on the books of the company kept for that purpose.

12th. The bank was only to hold such lands, tenements, and hereditaments as were necessary for its accommodation in the transaction of its business, or had been mortgaged thereto, or conveyed it, or to some other in trust, to secure loans, or bought at judicial sales upon judgments in favor of the bank, or loans, and the directors were empowered to sell all property the bank might thus acquire.

13th. The bank was not directly or indirectly to be concerned in commerce or insurance, or in the importation or exportation of goods, or the purchase or sale thereof, except where pledged to it as security.

14th. All bills, bonds, notes, and contracts of the bank were to be signed by the president, and countersigned by the cashier, or else to be not binding.

15th. The total indebtedness of the bank, by bill, bond, note or otherwise was never to exceed three times the amount of its capital. In case of this limit being exceeded the directors under whose administration the excess had taken place were individually liable; but any director might relieve himself by dis-

senting from the act or resolution authorizing such over-issue, having said dissent entered on the minutes at the time, and forthwith giving notice of the fact at a general meeting of stockholders, which any dissenting director might call. The bank was also liable for the over issue.

16th. Dividends were to be paid semi-annually, and never to exceed the net profits.

17th. No dividend was to be at the expense of the capital stock; and, if such were declared, the directors present at the declaring thereof were to be individually liable to the bank for the amount of the infringement, but any director might relieve himself by forthwith dissenting in writing on the minutes of the board.

18th. The directors were to keep regular minutes; vote by yeas and nays at the demand of any two directors; and produce the minutes before each general meeting of stockholders.

19th. The charter was to endure till May 1, 1830, but two-thirds of the capital stock might surrender the same prior thereto, on giving twelve months' notice in the newspapers of Augusta, Savannah, and Milledgeville.

When an increase of stock had been voted, no person could subscribe for more than ten shares, until after the expiration of three months from date of increase.

Lastly, the charter contained this terrific denunciation: "That any person or persons who shall print, sign, or pass, or be concerned in the printing, signing, or passing any counterfeit note or notes, bill or bills, of the Bank of Augusta, knowing them to be such, or who shall alter, or be concerned in the altering of any genuine note or notes, bill or bills of the said bank, and shall be convicted thereof, shall suffer death."

We have been thus particular in giving the details of the charter of the Bank of Augusta because it is in some sort the model on which subsequent charters were framed, and is in itself, in spite of some archaic features, a work evincing much financial ability. It is said that the curious provision as to the voting power of stock in elections for directors was borrowed from an old Scotch bank; but, however this may be, the cautious restrictions and limitations thrown about the manner of the selection of directors, and the responsibility placed on those officials, evince experience and ability in the framers of the act.

It will be seen that the original charter was to expire on May 1, 1830; but, in 1826, it was extended to May 1, 1850; and in 1845 again extended to May 1, 1870. This latter period it never reached, going down in the storms of war, but its long, useful and honorable history we may here trace.

In 1820 the presidents of the Bank of the State of Georgia, the Bank of Darien, the Planters' Bank, and the Bank of Augusta were required to annually report to the governor a minute statement of the standing and management of their respective institutions for the twelve months immediately preceding the

first Monday in October, "showing particularly the amount of specie in their vaults; the amount of debts due them, the amount of issues, and the amount of bills in circulation; the amount of deposits, and the highest amount due and owing by each of said banks."

In 1823 Governor Clark in his annual message recommended that each bank in which the State owned stock be required to make semi-annual statements to the executive; "the whole of their proceedings, giving the names of their debtors and the amount due by each, to be laid before the Legislature at their annual sessions." His excellency seems to have been no friend to banks; farther on in his message informing the Legislature that "the opinion even now almost universally prevails that the pecuniary embarrassment of the citizens is greater in proportion as you approach the vicinity of a bank;" also, that "the time may arrive when those monied 'institutions' will throw the weight of their powerful but subtle influence into the scale of an aspiring faction, hostile to the true interests of the country, thus sapping the foundation of the representative system, by corrupting the purity of the elective franchise."

So much of the message as related to the banks was referred to a joint committee on banks, which reported that the reports made were not specific enough, and should exhibit "the amount of specie in their vaults and owned by said banks, the amount of issues in circulation, the amount of discounted paper due and running to maturity, designating the amount in suit, the amount considered bad and the amount considered doubtful (with an exhibit of the names of the parties, makers and endorsers on such bad paper), and at what time such loans were made; a schedule and description of all real and personal property owned by said banks, and from whom purchased, the particular circumstances which induced the purchase of such property, its real value at the time of purchase, and its real value at time of report;" which exhibits were ordered to be made. At this time it is quite clear the Legislature was groping its way toward a system of bank examination.

In 1824 a special committee of four, of which Judge William W. Holt, of Augusta, then a member of the house of representatives, was one, was appointed to inquire into the condition of the several banks in which the State was a stockholder, and report to the next session. The text of this report we do not find, but it must have been favorable to the banks as the joint committee on banks says that on inspection of the exhibits made by the Bank of Augusta, and the other banks in which the State had stock, the report of the special committee is fully sustained, that "their condition is sound and all their affairs faithfully and ably conducted."

In 1829 the committee on banks report "that they find the affairs of the Bank of Augusta have been managed with great prudence and discretion, and fully merits the continuance of the public confidence."

In 1830 the Legislative report gives quite an insight into the banking of

that day. The joint committee on banks reporting on the annual statement of the bank of Augusta says: "That on a careful examination of the exhibits, they find such evidence of the ability with which the affairs of this bank have been conducted, and of its sound and stable condition, as fully to retain the high credit of the institution. The committee find on examination of the statement that the issues of the bank have been kept within the bounds of moderation, amounting to a sum less than double the amount of specie actually in the banks of the vault; that out of a sum of $890,575.38 of paper discounted, and due and running to maturity, only $10,000 is considered bad, and $16,000 doubtful. These facts speak highly in favor of the persons exercising the direction of the institution, and entitle them to the approbation of the Legislature and the community. The surplus fund over and above the regular dividend amounts to the sum of $104,948,94, which is held for the purpose of reimbursing the stockholders in the event of loss by bad debts or other accidents. This plan of holding a large surplus fund to meet such exigencies, where the regular dividends, equal to legal interest, are paid, is highly to be commended, and your committee therefore respectfully submit the following resolution :

"*Resolved*, That the abilty and fidelity with which the affairs of the Bank of Augusta have been conducted merit the approbation of the Legislature, and entitle the bank to the fullest confidence of the public": which was adopted.

In 1831 the legislative committee reported as to this bank as follows: "That, on a careful and minute examination of the exhibits they find such evidence of the ability with which the affairs of the bank have been conducted, and of its sound and stable condition, that notwithstanding the great depreciation in the real estate belonging to the institution of about $29,000, and in doubtful and bad debts to the amount of $24,000, yet your committee are of opinion that this bank is in a prosperous and flourishing condition, and that the ability and fidelity with which its affairs have been managed, meets the approbation of your committee, and as such is entitled to the entire confidence of the Legislature and of the people of Georgia."

In 1832 the legislative report is very complimentary. It says that on consideration of the statement of Thomas Cumming, president of the bank, it finds the institution "in a very sound and flourishing condition ; but your committee cannot refrain from giving the directors extra credit for the very able and satisfactory manner in which the affairs of the bank have been conducted and kept for the last twelve months. It seems the directors of the institution require the officers to keep and make to the board a full monthly return of all its operations, which enables a person at a single glance to ascertain the exact condition of the bank at any month during the year, which is much plainer and more satisfactory to your committee than any bank reports which have heretofore been made, which gives evidence of the distinguished ability and prudence with which it is managed, so as to entitle it to the renewed confidence of our fellow-citizens."

The report of the condition of the Bank of Augusta in 1835, as shown by its statement of April 8, 1835, is of interest as giving a view of banking in the city at that early day. Mr. John Moore was then president, and A. Picquet, book-keeper, and the report shows as follows:

	Dr.
To capital stock, 6,000 shares	$ 600,000.00
To notes in circulation	766,673.63
To amounts due other banks	185,866.72
To unclaimed dividends	2,064.00
To deposits	244,484.05
To amount due treasurer of the United States	8,813.08
To surplus	129,980.78
	$1,937,882.26

	Cr.
By discounts, running	$ 900,363.14
By discounts, going over	143,837.51
By amounts due from other banks	282,264.00
By amounts at Savannah agency	32,687.47
By notes of State banks, good	143,337.00
By notes of United States and foreign banks	10,915.00
By gold at Charleston	43,793.76
By specie of bank in vaults	335,230.33
By real estate, including banking house	39,127.50
By Georgia Railroad and Banking Company stock	600.00
By incidental expenses	5,726.55
	$1,937,882.26

Notes in circulation	$766,673.63	
Notes on hand	584,367.37	$1,351,041.00
Notes of other banks	153,252	
At Savannah agency	32,687.47	
Specie	379,024.09	564,963.56
Real estate		39,127.50
Surplus		129,980.78

The cashier, Mr. Robert F. Poe, reports the list of stockholders, which we subjoin:

Name.	No. of Shares.	Amount Paid in.
Central Bank of Georgia	1,000	$100,000
Thomas Cumming	290	29,000
Mrs. Ann Cumming	64	6,400
Richard Tubman	358	35,800
John Campbell	266	26,600
Hugh Nesbit	205	20,500
John Cumming, Savannah	200	20,000
Jno. P. King, gdn. B. Keating	200	20,000
James Gardner	160	16,000
Wm. H. Turpin	146	14,600
James Fraser	145	14,500
John Fox	120	12,000

	Number of Shares.	Amount paid in.
Isaac H. Tuttle	115	11,500
John Potter	100	10,000
John Bones, gdn. A. E. White	100	10,000
Robert Campbell	100	10,000
A. Waterman	100	10,000
James Wardlaw	92	9,200
Wm. S. C. Allen	73	7,300
John Bones, gdn. G. O. K. White	70	7,000
Nicholas Delaigle	70	7,000
John Carmichael	80	8,000
John Moore	79	7,900
Mrs. Mary Hill	61	6,100
Mary Louisa Hill	61	6,100
Benj. H. Warren	50	5,000
Augusta Free School Society	50	5,000
Ann E. Cumming	50	5,000
Sarah W. Cumming	50	5,000
S. C. Dortic	50	5,000
Chas. A. Harper & O. Waters, tr. A. E. Jackson	50	5,000
George Jones	50	5,000
Anderson Watkins	50	5,000
Robert Walton, tr	50	5,000
Wardens and Vestry of St. Paul's Church	50	5,000
Wm. Whitehead	50	5,000
Jesse Mercer	71	7,100
Fanny Moore	65	6,500
R. A. Reid, gdn., M. A. Reid	40	4,000
Robert F. Poe, tr	20	2,000
Elizabeth Reid	37	3,700
David McKinney	35	3,500
Wm. Bones, Charleston	30	3,000
R. A. Reid, gdn., H. O. Reid	27	2,700
Joseph Rivers	26	2,600
Trustees Meeson Academy	25	2,500
Robert A. Reid	22	2,200
Sarah Adams	20	2,000
Isaac Bryan	48	4,800
Wm. G. Bunce	20	2,000
Wm. Cumming	20	2,000
John Moore, South Carolina	20	2,000
Nancy and Margaret Murray	20	2,000
Thos. N. Hamilton	25	2,500
Alex. Spencer	20	2,000
Jane Telfair	20	2,000
Trustees Burke County Academy	20	2,000
Hozea Webster	20	2,000
Wm. B. M'Law	17	1,700
Ann E. Cumming, tr	25	2,500
S. S. R. R. Jones	15	1,500
Geo. M. Newton	15	1,500

	Number of Shares.	Amount paid in.
James Shackleford	15	1,500
Samuel Clarke, tr	14	1,400
Robert Clarke	14	1,400
John and Samuel Bones	10	1,000
Sarah H. Haig	10	1,000
Joel Martin	10	1,000
Pleasant Stovall	10	1,000
David Wardlaw	10	1,000
Mrs. Lucy Isaac	9	900
James C. Longstreet	8	800
Mrs. Isabella Bones	7	700
James Harrison	6	600
Francis Hamil	6	600
M. Kinchley	10	1,000
James and William Harper	5	500
Thomas M'Graw, gdn	5	
S. M'Graw	2	500
Alexander Martin	5	500
W. W. Montgomery, tr. J. S. Blair	5	500
H. Fosbrook	4	400
Joseph Henry Lumpkin	3	300
William McCaw	67	6,700
Robert McDonald	5	500
President, directors and etc. of Augusta stock as pledged on loans	234	23,400
	6,000	$600.000

By the original act of incorporation the capital stock was fixed, as has been stated, at $300,000; but in 1826 the Legislature in extending the charter to 1850 authorized an increase of capital to $600,000, which will account for above total.

In 1842 the Bank of Augusta was authorized on the sale of any real or personal property held by it, to take payment in cash or in its own stock as it might prefer; also to take in payment its shares hypothecated for loans; also to reduce the number of its directors to twelve, five to be a quorum, the State to have two and the stockholders ten directors.

In 1845, the charter was extended to May 1, 1870, and the total amount of its indebtedness was required never to exceed double the amount of its capital, the original charter allowing three times. It was further provided that the individual property of stockholders should be bound for the ultimate redemption of the bank bills in proportion to the number of shares held, and that all transfers of stock six months prior to a failure of the bank should be void, and the private property of the transferring stockholder be liable as if no such transfer had been made. In 1847 this personal liability clause was repealed, and the old rule 15 of the charter restored, making the directors individually liable for over-issues, unless dissenting, as therein stated. The fur-

ther history of this venerable bank we will consider in the general history of banking in Augusta.

The other *ante bellum* banks of Augusta were the Augusta Savings Bank incorporated in 1827; the Augusta Insurance and Banking Company, also incorporated in 1827; the Merchants and Planters Bank also in 1827; the Mechanics' Bank, in 1830; the Union Bank, originally incorporated in 1836 as the Bank of Brunswick; the Peoples Savings Bank of Augusta, in 1851; the City Bank, in 1854; and the Augusta Savings Bank, in 1855. At the outbreak of the war there were in operation, the Bank of Augusta; the Augusta Insurance and Banking Company; the Mechanics' Bank; the Union Bank; and the City Bank of Augusta. The Georgia Railroad and Banking Company, incorporated in 1833 and a railroad company with bank adjunct, was also in operation at this time.

"The Augusta Savings Bank was incorporated in 1827. The incorporators were John Campbell, Thomas Cumming, Samuel Hale, Isaac Henry, Timothy Edwards, Edward F. Campbell, James Fraser, William W. Montgomery, Joseph Wheeler, Anderson Watkins, Asaph Waterman, Augustus Moore, Henry Cumming, John Howard, William H. Turpin, John Course, Richard Tubman, John Phinizy, George Twiggs, John Moore, and James Harper; and were to constitute "the Board of Appointment," which board was annually to choose a president and other officers of the board and seven managers, which managers, were to elect from its own membership, a president of the bank, and were to appoint a secretary, treasurer, and other officers for the institution. No president or manager was to receive any compensation for his services. Deposits of not less than two dollars were to be received, and two weeks' notice required before withdrawal. Dividends were to be paid in June and December, "to be calculated only from the first day of January, April, July and October in each year, and not having relation to the time of deposits provided deposits shall be made at any intermediate period between those dates, nor shall interest be allowed for fractional parts of a month." No manager or officer was to be allowed to borrow from the bank, nor was it to accept their endorsement or any security by them. In reporting on this institution, in 1832, the Legislative committee say: "This differs from ordinary banks; its object is essentially charitable and, with its benevolence it affords to the improvident practical lessons on economy; it holds out no invitation to the capitalist or office hunter. The management of this institution reflects honor on its philanthropic directors; and, in confirmation of the disinterestedness with which it has been managed, it is shown that its expenses, from the commencement of its operations to the present time, nearly three years, amount to only $22.74." The charter of this bank was perpetual, but it does not appear to have done business for any considerable length of time, as we find that, in 1852, Henry H. Cumming, Robert H. Gardner, jr., George Crump, Gary F.

Parish, George M. Norton, J. H. Mann, Christopher C. Taliaferro, Robert F. Poe, Henry Moore, James Harper, John Foster, George Jackson, James Miller, Artemas Gould, and John M. Adams were incorporated as "The People's Savings Bank, in the city of Augusta," with all the powers and privileges of the original bank, the charter whereof was granted them.

In 1856, the Legislature, after a preamble which states that "there exists a class of persons who, from their position and want of experience, are incapable of investing and accumulating their small incomes and earnings, and it is desirable to encourage economical and provident habits in all classes, and more especially in the young, the laboring, and the dependent," incorporates Charles J. Jenkins, James Gardner, jr., A. A. Beall, J. B. Walker, W. A. Walton, Benjamin Conley, I. P. Garvin, T. W. Chichester, M. P. Stovall, D. H. Wilcox, E. B. Ward, W. W. Alexander, H. H. Hickman, and James Miller as "The Augusta Savings Institution." The capital stock was $30,000, increasable to $100,000, which stock was to be "a fund pledged for the security of deposits." "There shall be not less than twelve or more than fifteen stockholders, each stockholder shall have absolutely and invariably an equal interest in the institution." The institution could issue certificates of deposit, but not notes or bills as a circulating medium.

"The Augusta Insurance and Banking Company" was incorporated in 1827, the incorporators being Peter Bennoch, James Harper, John Bones, Charles Labuzan, Anderson Watkins, Edward J. Harden, W. W. Montgomery, Samuel Hale, and Abraham M. Woolsey. The capital stock was not to exceed $500,000, in shares of $100 each. For the first twenty days after the opening of the books of subscription none but citizens of Georgia could subscribe, and no citizen for more than one hundred shares; after the expiration of that time, any citizen, or body corporate, of the State could subscribe, without limit. The company was authorized "to insure property and effects of every nature and description, against losses by fire and water, and all other accidents, dangers, and casualties for which insurance companies are usually established, or to buy or sell life annuities." Losses were made payable in six months after the happening thereof. If the claimant was compelled to institute suit, the trial was to be at the first term, and if the company failed to satisfy the judgment in ten days after rendition thereof, the charter was forfeitable. The company was authorized to issue bills to the amount of its capital stock, when such issue was authorized by a vote of three-fifths of the stock. By amendatory act of 1831, the issue of bills might be double the amount of the capital stock. The charter was granted for thirty years, or up to December 26, 1857.

The Augusta Insurance and Banking Company had scarcely gotten under way when it was almost blotted out of existence by the great fire which desolated Augusta in April, 1829. This conflagration reduced the greater part of the city lying south of Monument street to ashes, and the losses inflicted a

staggering blow on the new company. In 1830 the bank committee reported "that notwithstanding the institution has experienced immense losses, at various times, by that destructive element, fire, in that city, yet its exhibit shows us an improved condition compared with the same period of last year, and we think it has the ability from its present condition to redeem the amount it has in circulation, and will be able, in time, to fulfill its obligations to the citizens generally."

In 1831 the committee reports "that the promptitude with which it has settled its late uncommon losses entitles it to the highest praise." In 1832 it is reported "in a sound and flourishing condition."

In 1833 the president of this company, Mr. Peter Bennoch, made a report to the governor which is a curious and interesting document in more than one respect. The year before the Legislature had passed an act requiring the various banks of the State to make certain detailed reports to the executive office annually, under penalty of not having their bills received at the State treasury. Like much of the legislation then, and we might as well add, since, this statute was rather cloudy in expression, and Mr. Bennoch in his report very freely airs the ill opinion he entertained of it. He says "the unintelligible ambiguities of the law in question have put at defiance a common sense construction of its provisions;" and again, "the presumption seems natural that, during the conception and maturity of the law, the respective departments of the government must have been under the influence of some extraordinary impressions in regard to banking operations." He adds: "Your Excellency will perceive in submitting the return now made, on the part of the directors and officers of this institution, an earnest desire to comply with the letter and spirit of the law; should they have failed, you will please to impute it, not to intention, but to that dimness of legal vision which would enable the judge, only, to reconcile and harmonize what, to ordinary minds, must be hid in impenetrable obscurity." Having thus relieved his mind, Mr. Bennock submits his report, saying: "it will doubtless afford to the stockholders a gratification almost unexpected to contrast the present with the condition of the office three years since. Then its stock, from extraordinary losses, sold at half the amount paid in; now it would command thirty per cent. premium." The statement shows as follows:

	Dr.
To capital stock	$125,000 00
To surplus	16,338 31
To bills in circulation	206,399 00
To deposits	28,186.52
To dividends unpaid	981.00
	$376,904.83

	Cr.
By discounts	$170,502.57
By amounts due from other banks	130,256.14
By specie	44,419 21
By bills of other banks	29,407 00
By amounts due for premiums	2,319.97
	$376,904.83

The president was Peter Bennoch; the cashier, Robert Walton; the list of stockholders was as follows:

Name.	No. Shares.	Amount Paid On.
A. L. Alexander	100	$ 2,500
W. J. Bunce	50	1,250
Peter Bennoch	15	375
J. D. Beers, I. R. St. John & Co	404	10,100
John Bones	25	625
Estate of William Bones	25	625
William Bryson	10	250
Hays Bowdre	65	1,625
Samuel Clarke	200	5,000
Estate of John Campbell	545	13,625
Phillip Crump	10	250
Thomas Cumming	200	5,000
Charles A. Crawford	45	1,125
Thomas G. Casey	50	1,250
John C. Carmichael	30	750
Robert Campbell	50	1,250
Edward Coxe	75	1,875
Nicholas Delaigle	50	1,250
William Dearing	50	1,250
John Fox	100	2,500
James Fraser	210	5,250
Alexander Graham	91	2,275
William Glendenning	25	625
Samuel Hale	50	1 250
J. and W. Harper	77	2,955
Estate of Arthur Harper	100	2,500
Estate of J. Herbert	10	250
Andrew Kerr	100	2,500
Estate of E. Knight	50	1,250
J. L. Kilburn	155	3,875
Garret Laurens	38	950
G. M. Lavender	10	1,250
William Harris	75	1,875
Juriah Harris	15	375
Thomas N. Hamilton	50	1,250
John Moore	100	2,500
Andrew J. Miller	755	18,125
W. W. Montgomery	50	1,250
Henry Mealing	25	625

	No. Shares.	Amount Paid On.
Alexander McKenzie	30	750
Estate of H. Nesbitt	100	2,500
Thomas J. Parmelee	80	2,000
Samuel H. Peck	50	1,250
Thomas J. Parmelee	80	2,000
Samuel H Peck	50	1,250
Edward Quinn	50	1,250
James Shannon	100	2,500
Estate of Alexander Spencer	50	1,200
St Andrew Society	10	250
William H. Turpin	100	2,500
Richard Tubman	150	3,750
George O. White	25	625
Anna E. White	75	1,875
James Wardlaw	25	625
James McDowell	10	250
Total shares	$5,000	$125,000

In 1852 the charter of the Augusta Insurance and Banking Company was extended to January 1, 1878; and for a number of years after this extension the company as we will see further on, continued to flourish.

In 1827, the Merchants and Planters Bank was incorporated, Edward Thomas, Joseph Wheeler, and William Bostwick being appointed commissioners to secure subscriptions at Augusta for 1,150 shares; other commissioners being appointed for like purpose at other points throughout the State, viz.: At Savannah, for 600 shares; Washington, Wilkes county, for 150 shares; Athens, 50 shares; Lexington, 100 shares; Petersburg, 100 shares; Greensborough, 150 shares; Milledgeville, 150 shares; Macon, 100 shares; Waynesboro, 50 shares; Louisville, 50 shares; and St. Mary's, 50 shares. The capital stock was to be $300,000, in shares of $200 each, and the charter was to expire January 1, 1858. It expired long before that. The bank began business in May, 1828; and, for some years, received the commendation of the Legislative examining committee. In 1830, it was reported "sound, and its credit unimpaired;" in 1831 as "entirely sound;" in 1832 "in a sound and thriving condition." April 10, 1833, it suspended; in December of that year the Legislature appointed Nathaniel W. C. Cocke, Henry Cook, and Robert Campbell, of Augusta, to co-operate with a joint committee of two from the Senate and three from the House, to examine into the circumstances of the failure. The report of this committee is curious reading. It first dilates on the obstructions placed in the way of a discharge of their duty: "The first obstacle presented to the efficient discharge of those duties was the unqualified refusal of the president and directors of said bank to submit their books and papers to the inspection of your committee. A formal protest under their order was presented, in which the investigation directed by the supreme legis-

lative authority of the State was denounced as 'a proceeding illegal, utterly subsersive of private right, and assumption of power which under the Constitution, the Legislature cannot exercise.' This lofty tone of presumptuous defiance against the authority of the highest tribunal recognized by the Constitution and the people of the State, adopted by this banking interest, a mere creature of the Legislature, and owing every moment of its existence to the forbearance of that body, seemed well to become the arrogance of an inflated aristocracy, more gratified at the possession of power to abuse, than respect to those whose interests are affected by its exercise for the virtuous use of it, and placed in bold relief the shameless desperation which violated confidence, fraught with its excesses, was capable of assuming." The committee then proceeds to say that it overruled the protest, and ordered the president and directors to appear before them and to produce the books of the bank. In answer to this those officials replied that the books had been deposited in the bank, not to be removed except on an order of the board of directors; and as there was now no such board they could not be produced by them, they being now mere private individuals. This showing also was overruled, and the books ordered to be produced; and, further, the recalcitrant officials were ordered to show cause why they should not be attached for refusing to attend and testify in person, as ordered. On this, the recusants protested the whole investigation was illegal and unconstitutional, as before, and prayed the benefit of counsel to make their defense. At the prospect of a dozen lawyers being let loose upon them, the committee somewhat receded from their high ground, saying, "to have done this would necessarily have consumed much time which was not to spare, as the committee was to report to the Legislature then in session." Accordingly the committee confined itself to an examination of a large number of other witnesses, and reported their conclusions as follows: In the first place they say "the Merchants and Planters Bank never did have any legal existence whatever." By the charter, directors were not to be elected until gold and silver coin to the amount of twenty per cent. of the subscription had been received. No such payment had been made. Bank notes had been deposited in the State Bank, and certificates of deposit, as of specie, had been requested and received, these certificates being used in order to show the same to the governor as evidence that the bank had the amount of specie required for it to begin operations. In the next place the committee found that, whereas the charter required all discounts to be passed on by at least five directors, it was a common practice for the president, or the president and cashier, or a less number of directors than five, to make discounts. Another violation of the charter was that non-stockholders were made directors. The causes of the bank's failure are then considered. It had no capital; the stock was largely represented by the notes of stockholders; the bulk of discounts were made to the president and three directors. This quartette had half a

million of their paper in the bank; all other debts due it were but $80,000. The committee say they cannot see how, with such a state of things existing, the credit of the bank stood so high. Its stock was 130, and its regular dividend eight per cent. In 1829 it reported a reserved fund and undivided profits of $14,944; in 1830, of $27,668; in 1831, of $44,418; in 1832, of $23,060; and within a few days of its failure, $418,803 debit and $659,981 credit, and yet its stock was then 66 per cent. below par. The committee finds that in April, 1833, the bank had $393,000 of its bills in circulation, in December of that year but $98,000. The difference, $205,000, had been passed out to the president and directors on their own notes; they had gotten what they could for them; and when the bills, came back the bank failed. Down went the bills, and the evidence was that those who had thus set them afloat at par, brought them in at 66 per cent. discount. The committee further report that a loan of $100,000 was offered this bank by the State Bank, if it would allow two disinterested and skillful persons to examine its affairs, and they should report it solvent, which was declined. The committee recommended that the bills of the Merchants' and Planters' Bank, should never be thereafter received at the State Treasury, and that the attorney-general be directed to proceed to forfeit the charter thereof, which was so ordered.

The Mechanics' Bank was incorporated in 1830, the incorporators being John Phinizy, Amory Sibley, John H. Mann, Moses Roff, jr., William W. Montgomery, Alfred Cumming, Jesse Kent, George R. Rountree, and George L. Griggs. The capital stock was $200,000, increasable to $400,000, in shares of $100 each. Subscriptions were to be paid as follows: Two per cent. cash at time of subscribing, eight per cent. at the expiration of sixty days, ten per cent. at the expiration of sixty days more, and the balance at such times thereafter as the directors may require. For non-payment, the shares, and all amounts paid thereon, were forfeitable to the bank. There were to be nine directors, and the institution was to go into operation when twenty-one per cent. of subscriptions should have been paid in, in specie. Stockholders were to have one vote for each share, but no share was to be voted unless held *bona fide* for three months prior to the election by the person voting the same. Five directors were to be a quorum and every twenty stockholders owning two hundred shares could call a stockholders' meeting on sixty days' notice in the city papers of Augusta specifying the objects of the meeting in the call. The bank was not to contract debts by bill or otherwise beyond three times the amount of its capital, and the stockholders were personally liable for such debts. The charter was to expire January 1, 1860, and "the said bank shall be established at such place as may be determined on by the directors below Washington street in the said city of Augusta." The granite building erected by this bank still stands on the north side of Broad street a few doors east of Washington street. At the close of the war it was used as headquarters for the Federal post-com-

mandant of Augusta, and after many mutations, is now a hospital for the renovation of disabled cooking stoves—*sic transit.*

In 1832 this bank was reported as manifesting "a prudent and cautious management." In 1833 it was reported "in a solvent condition and deserving confidence of the people." Its statement of April 1, 1833, makes the following:

	Dr.
To capital stock paid in	$200,000.00
To bills in circulation	194.439.00
To reserve fund	8,601.32
To deposits	18,429.31
	$421,469.63
	Cr.
By specie in vaults	$ 76,403.21
By United States Bank notes	10,295.00
By notes of other banks	20,977.00
By amounts due from other banks	47,073.99
By exchange	119,700 84
By discounts	122,003.96
By discounts, protested and in suit	3,528.69
By discounts, protested and not in suit	11,333.47
By protest account	13.00
By current expenses	2,277.08
By banking house and lot	7,863.36
	$421,469.63

By the next semi-annual report the debits and credits were $448,880.70. The specie was $42,172.54; issue, $205,363. The bank had been robbed of $5,428. Fielding Bradford was president, and George W. Lamar, cashier.

The list of stockholders of the Mechanics' Bank in 1833 was as follows:

Name.	No. Shares.	Amount Paid In.
Richard Allen, Augusta	12	$ 1,200
John M. Adams, Augusta	10	100
Fielding Bradford, Augusta	160	16,000
Edward Bustin, Augusta	10	1,000
J. D. Beers, I. R. St. John & Co., Augusta	35	3,500
A. Cumming, Augusta	10	1,000
R. Campbell, James Fraser and James Harper tr., estate Jno. Campbell, Augusta	390	39,000
Thomas G. Casey, Augusta	36	3,600
Samuel Clarke, Augusta	35	3,500
Jacob Dill, Augusta	5	500
John W. Downing, Philadelphia	40	4,000
Major A. C. W. Fanning, New York	15	1,500
John B. Guieu, Augusta	25	2,500
James Hubbard, Augusta	10	1,000
Samuel Hale, Augusta	20	2,000
Juriah Harris, Columbia county, Ga	30	3,000

	No. Shares.	Amount Paid In.
Isaac Henry, cashier, Augusta	120	12,000
Marshall Keith, Columbia county, Ga	135	13,500
G. B. Lamar, Savannah	32	3,200
James Lampkin, Columbia county, Ga	10	1,000
G. B. Marshall, Augusta	10	1,000
William A. Mitchell, Augusta	55	5,500
Elisha Martin	15	1,500
Musgrove & Bustin, Augusta	150	15,000
William H. Morgan & Co., Augusta	110	11,000
Robert McDonald, Augusta	10	1,000
George M. Newton, Augusta	50	5,000
M. E. Phinizy, Augusta	5	500
A. P. Pillot, Augusta	50	5,000
R. F. Poe, tr., M. O. Longstreet, Augusta	25	2,500
George H Paddock, Augusta	10	1,000
Moses Ruff, jr., Augusta	20	2,000
Lucy Smith, Abbeville, S. C	100	10,000
Joel Smith, Abbeville, S. C	75	7,500
John Smith, Laurens, S. C	60	6,000
I. S. Tuttle, Augusta	60	6,000
E B. Webster, Augusta	50	5,000
	2,000	$200,000

In 1836 the Mechanics' Bank was authorized to increase its capital stock to $1,000,000, but in 1841 was empowered to reduce same to $500,000.

In 1854 the charter of the bank was extended to January 1, 1880, and the capital stock was authorized to be increased to $1,000,000. The bank was given a lien on the stock of any stockholder for debts due by him to the bank as principal, security, guarantee, drawer, acceptor, or endorser. The personal liability clause was re-enacted, and no transfer of stock within six months of failure of the bank should relieve a stockholder.

The Union Bank was originally incorporated in 1836 as the Bank of Brunswick. The capital stock was $200,000, increaseable on the completion of the Brunswick and Altamaha Canal, to $1,000,000, and on the completion of the Brunswick and Florida Railroad from Brunswick to the Apalachicola River, to $3,000,000. The voting power of stock was regulated something after the fashion of the Bank of Augusta, viz.: For one share, one vote; for two shares, and not exceeding five, two votes; and for every five shares above five, one vote; but no person, or body corporate, was to have more than thirty votes, and no stock could be voted which had been transferred three months prior to the election. The subscriptions were to be in specie, and the bills of the bank, the issue of which was not to exceed three times the amount of the paid in capital, were to be paid on demand in specie under penalty of forfeiture of charter. The personal liability clause was inserted, and it was provided "that the United States Bank, now located in Pennsylvania, shall hold no stock in said company."

In 1842 the Bank of Brunswick was authorized to remove to Augusta and there exercise all the privileges of its charter, save that the capital was not to be increased beyond its then present amount, $200,000.

In 1850 this restriction was removed, and it was provided that the stock might be increased to $500,000, and that each stockholder should have one vote for each share by him held.

In 1854 the name was authorized to be changed from the Bank of Brunswick to the Union Bank, the charter otherwise to remain the same, save that the personal liability clause was amended so as to continue such liability on holders of the stock transferred within six months of a failure of the bank.

The Peoples' Saving Bank, incorporated in 1852, has already been mentioned.

The next bank incorporated in Augusta was the City Bank, chartered in 1854. The incorporators were Ignatius P. Garvin, Henry C. Seymour, Benjamin Conley, William H. Stark, and Charles S. Baker. The capital stock was $200,000, increaseable to $500,000. The charter was to expire January 1, 1880; there were to be five directors; each share of stock was to have one vote; the debts were never to exceed three times the amount of the capital paid in, and no bills were to be issued until $50,000 had been *bona fide* paid in in specie. The directors were personally liable for the whole of any over issue, and the stockholders liable in proportion to their shares.

The Georgia Railroad and Banking Company was originally incorporated in 1833 as the Georgia Railroad Company for the purpose of a railroad communication between the city of Augusta and some point in the interior of the State to be agreed upon by the stockholders, with branch roads to Athens, Eatonton, and Madison. In this charter it was provided that "it shall be lawful for the company from time to time to invest so much, or such parts of their capital, or of their profits as may not be required for immediate use, and until it may be so required, in public stock of the United States, or of this State, or any incorporated bank, or lend the same out at interest on good security, and draw and apply the dividends, and when, and as they shall see fit, sell and transfer any parts or portion thereof, provided that nothing herein contained shall be so construed as to authorize said company to issue bills of credit or to loan out any moneys at a greater rate of interest than eight per cent."

The capital was fixed at $1,500,000, but it was provided that "the said company shall be at liberty to enlarge their capital as in the progress of their undertaking they may find necessary, and that either by additional assessments on the original shares, not to exceed in the whole the sum of twenty dollars in addition to each original share, or by opening books for enlarging their capital by new subscriptions in shares of not more than one hundred dollars, so as to make their capital adequate to the works they undertake."

In 1835 the corporate name was changed to that now borne, the Georgia

Railroad and Banking Company; the capital stock was fixed at $2,000,000, "one-fourth of which, applied to banking purposes, shall be gold or silver coin, in shares of one hundred dollars each, of which capital one-half may be used for banking purposes, and not more until the completion of the road to Athens and one of the southern branches through Greensborough, to be designated by the stockholders, at which time any capital stock unemployed may be used for banking purposes." The railroad was directed to be completed by December 18, 1840, and the banking privileges were to expire on December 18, 1865, or twenty-five years thereafter. The company was empowered to issue bills, not to exceed three times the amount of the banking capital allowed. By the last section of this amendatory act it was provided "that no foreigner either directly, or indirectly, shall own stock in the said railroad or bank; and if any foreigner shall own stock in anywise, the same shall be forfeited to the State." In 1840 this was modified so as to allow foreigners to own stock, provided it did not amount in the aggregate to one-third of the entire stock. In 1849 the stock was increased to $5,000,000, but it was provided that the banking capital should not be increased beyond the amount then authorized by the charter, namely $1,000,000.

In 1865 the Georgia Railroad and Banking Company was authorized to close up its banking business, the term of that privilege expiring, as has been stated, in 1865. In 1870 the banking privileges under the act of 1835, and acts amendatory thereof, were renewed and extended to October 19, 1900.

We here present a statement of amount of capital stock of this company, and dividends paid thereon from 1836 to 1847; from which, by bearing in mind the ratio of banking to entire capital as prescribed by the charter, can be seen how the banking department prospered during that period. From 1847 to the lapse of the banking privilege in 1865, a fuller account can be given:

Date of Dividend.	Capital Stock.	Dividend.
November, 1836	$ 858,615.00	$ 26,018.00
February, 1837	1,170,715.00	41,452.80
October, 1837	1,434,405.00	53,962.54
April, 1838	1,910,215.00	70,492.90
October, 1838	2,011,895.00	80,300.96
April, 1839	2,116,810.00	84,178.00
January, 1840	2,143,317.00	86,234.68
April, 1840	2,193,952.00	86,513.48
April, 1842	2,201,612.00	230,161.20
January, 1846	2,288,449.92	45,768.88
October, 1846	2,289 199.92	45,783.99
April, 1847	2,289,199.92	45,783.99

From this period can be given the total amount of capital of the company, and amount of gross receipts of banking department:

Year.	Total Capital.	Bank Receipts.
1847	$2,289,199	$ 54,761
1849	2,262,497	26,115
1850	4,000,000	50,159
1851	4,000,000	55,485
1852	4,000,000	63,661
1853	4,000,000	95,887
1856	4,156,000	108,441
1857	4,156,000	204,881
1859	4,156,000	134,324
1860	4,156,000	104,124
1861	4,156,000	185,209
1862	4,156,000	150,686
1863	4,156,000	435,191
1864	4,156,000	601,592

The deposits, discounts, and circulation for the same period are as follows:

Year.	Deposits.	Discounts.	Circulation.
1847	$112,004	$297,447	$ 376,446
1849	62,762	279,844	388,330
1850	122,666	500,663	566,318
1851	163,022	365,832	657,227
1852	214,552	412,183	921,654
1853	72,276	578,159	1,145,130
1856	53,209	308,778	1,233,115
1857	214,101	902,206	1,115,596
1859	252,939	654,799	1,293,618
1860	289,114	549,295	1,069,579
1861	290,018	685,349	1,651,455
1862	804,667	593,375	1,065,225
1863	626,849	559,066	1,054,861
1864	99,844	181,319	1,005,668

Having thus given some account of the particular banks existing in Augusta in *ante bellum* times, we now proceed to a statement of the banking system as regulated by law.

In the early part of the nineteenth century banking in Augusta, as elsewhere throughout the State, was conducted in a very loose and irregular way. It was then supposed one of the inalienable rights of the citizen to set up a bank at pleasure, issue such bills as he saw fit, and financier generally at his own good will. The consequence was that the country was overrun with mushroom banks and irresponsible paper currency. The need of a better plan was sorely felt in Savannah and Augusta, and accordingly the Planters' Bank was incorporated in the former city in 1807, and the bank of Augusta in the latter in 1810. The good effect of these regular organizations was soon manifest, and in 1815 the Legislature began to take steps toward the suppression of the guerrilla style of banking above mentioned. It was enacted that it should not be

lawful for any association or company of persons not having a charter authorizing them so to do, to issue "any engraved note or bill, intended to represent a bank note, for the sum of two dollars, or for any greater sum." The act also stated that "a practice pernicious to the community has prevailed with corporate bodies, companies, and individuals in this State, of putting in circulation small notes, or due bills, to supply a deficiency of change; which pernicious practice is calculated to defeat the object it proposes to remedy by expelling from circulation the small coins, and is productive of other serious evils," wherefore it was provided that any person, body politic or corporate, other than the incorporated banks of the State issuing "any engraved or printed note, due bill, ticket, or change bill evidencing or intending to evidence that any sum less than two dollars is due," should forfeit three times the amount thereof, "such recovery to be had by warrant or summons before a justice of the peace, and on the trial of every such warrant or summons, if the note, due bill, ticket, or change bill be in part or whole engraved or printed, it shall be conclusive evidence of an intention to violate this act." The emitters of all such bills then out were to pay a tax of twenty per cent. thereon, or in default, be subject to a penalty of treble the amount of the bill.

It is sad to relate that Augusta felt the weight of this statute with special force. The city council and the Change Company of Augusta were found to have been issuing shin plasters at a terrific rate, and a special act was passed for their pardon on condition of paying the tax on their issues in ten days.

In 1818 the Legislature essayed to lay the ax to the root of the old voluntary system. It was enacted that, from and after January 1, 1820, no person, association of persons, or body corporate should keep any place of business for carrying on any kind of banking operation which incorporated banks were allowed by their charter to conduct, or issue, emit, circulate, lend, pass, pay, or tender in payment, as private bankers, any bills or promissory notes of private bankers, incorporated or unincorporated banks or banking companies, co-partnership, or association, by whatsoever name called, unless thereunto specially authorized by law. If any person or persons, co-partnership, association or corporation should contravene these provisions, such person and every individual member of such copartnership, association, or body corporate should forfeit the sum of $1,000 for each infraction, each day such unauthorized bank was kept open, and each note issued, etc., to be a distinct offense. The act also required that by the time named, all private bank notes then out should be redeemed, on demand, in specie, or notes of incorporated banks of the State, or bear interest at the rate of two and a half per cent. per month until paid, and that, for any note under one dollar issued without authority of law a penalty of $100 should be incurred.

This act dealt a severe blow to private banking, but the issuing of change bills was kept up, and by acts passed in 1829 and 1830 it was declared that

on all change bills put in circulation without a charter a tax of fifty per cent. should be collected, and that for each issual a fine of not less than fifty nor more than five hundred dollars should be imposed. To stimulate prosecutions it was provided in these acts, as in that of 1818, that half the amount of the penalty should go to the informer.

In 1832 the Legislature, reciting that "the circulation of bank bills of a small denomination has been productive of fraud and loss to the public, and has a tendency to prevent or retard the general and speedy restoration of a specie currency," enacted that the chartered banks should not issue any notes of a less denomination of five dollars. The penalty was $100, and each bill a separate offense. In 1835 the Legislature, reciting that the act of 1832 "has manifestly benefited the circulating medium," enacted that the banks should not issue any notes "other than of the denomination of five dollars, ten dollars, twenty dollars, fifty dollars, hundreds of dollars or thousands of dollars," under a penalty of $500. In 1842 they were allowed to issue small bills of the denomination of one, two, three, and four dollars, to an amount not exceeding five per cent. of their capital stock.

In 1832 failure to redeem a bank note in specie on demand was visited with a penalty of ten per cent. In 1840 it was enacted that such failure should render the charter forfeitable. In 1832 it was also enacted that the banks should make semi-annual reports to the governor. On failure, their notes were to be refused at the State treasury, and the governor was to publish their names in the papers of Milledgeville, then the State capital. The report was required to state "the amount of bills on other banks of this State; the amount of gold, silver, and bullion in their vaults; the amount of debts due them at the North, or elsewhere, which may be denominated specie funds; the amount of active or running paper, the amount in suit, the amount under protest, and not in suit, and clearly stating what amount of all the debts due the bank is considered good, what amount doubtful, and what amount is considered bad and lost to the bank, the amount of issues; the amount of bills in circulation; and the amount of bills of said bank in circulation under the name of deposits; and the highest amount due and owing by the bank."

By act of 1837 no bank was to issue any paper for circulation made payable at a longer time than three days from date, or redeemable otherwise than in specie, under a penalty of $1,000 for each offense.

In 1838 the Legislature passed "an act to authorize the business of banking, and to regulate the same," commonly known as the free banking law. The system established by this statute is in some particulars much like the national bank act. It provided for a commission consisting of the comptroller-general and two commissioners chosen by the Legislature to operate the act. The commission was to prepare a quantity of engraved bank notes in blank, of the denominations then allowed by law which were to be countersigned by

registers appointed by the commission, numbered and registered. Then any person or association of persons desiring to do a banking business was to draw up and file in the office of the clerk of the Superior Court, where the business was to be done, a certificate setting out the name of the proposed association; the place where it proposed to conduct operations; the amount of capital stock (which was not to be less than $100,000) and number of shares proposed; the name, residence, and number of shares of each stockholder; the time at which the association was to begin, and the period for which it proposed to continue, the act making the maximum term twenty years. A copy of this certificate was to be furnished the commission, and the applicants were to deposit with it certain kinds of securities set out in the act commensurate in amount with the number of bills desired.

The following securities might be furnished: first, any stocks or bonds of the United States or the State of Georgia, or of any other State, if approved by the commissioner, any stock offered to be equal to a State stock producing five per cent. If this kind of security were deposited, the commissioner was to issue the incorporators an equal amount of registered notes, the same to have stamped upon their face "Secured by the pledge of public stocks." Secondly, the incorporators might deposit bonds and mortgages upon real estate, bearing at least six per cent. Such morgages were only to be taken when on unincumbered lands in Georgia, worth independently of the buildings thereon, at least double the amount of bills desired on the pledge thereof, and the commissioners were to investigate title and value. In the event this kind of security being accepted, the bills were to be stamped, "Secured by pledges of real estate." Thirdly, the incorporators might offer bond and mortgage on land, town property, and negroes, in which case the negroes were not to exceed one-half the security, and the total amount of such deposit was to be fourfold the number of bills required. In this case the bills were to be stamped, "Secured by the pledge of real and personal property." On the deposit of the security the commission was to issue bills to the proper amount to the incorporators, who were thereupon authorized to fill out the notes, the president, or vice-president, and cashier signing, put them in circulation and do a general banking business. On failure to redeem a note, in specie, on demand, and during banking hours, *i. e.* between nine and two, the bill holder was to protest same and file the protest in the controller-general's office, whereupon the commission was to call on the bank to redeem same. If not done is sixty days thereafter the commission was to convert the deposit into cash, notify all bill holders to come in and pay them out of proceeds of the sale. Incorporations under this act were to make semi-annual reports in April and October setting out their capital; value of real estate; number and value of shares, stating how many held as collateral; debts due to and by the corporation; disputed claims against it; circulation, losses, and dividends since preceding

statement; monthly average of debts, specie, and circulation; and increase of capital, if any. This report was to be published in the county where the corporation was doing business, and failure to make statement, or violation of any requirement of the law, operated a loss of franchise. In addition to the regular reports, any creditors or stockholders representing $5,000 could obtain an order from the judge of the Superior Court for an examination and report by an expert of the state of affairs, or the commission could make examination. In 1841 this act was so amended as to require only so much of the deposits to be sold as were necessary to satisfy the protested bills.

In 1837 all the banks in Augusta succumbed to the panic which swept over the United States in that year, and suspended specie payments. But three banks in the State, the Central Bank, the Columbus Bank, and the Insurance Bank of Columbus withstood the storm. In 1836 three-fourths of Georgia's quota of the surplus revenue of the United States, or $1,051,421.09 had been received and deposited in the Central Bank and this measurably relieved the general distress. The blow, however, was a severe one. The banks remained suspended, and the act of 1840 was passed to coerce a resumption of specie payments, under penalty of dissolution. The law officers of the State were busy forfeiting charters. The banks claimed the act of 1840 unconstitutional, and in 1841, the penalties claimed to have been incurred were remitted on condition of resumption by January 1, 1842.

Twenty years after the panic of 1837, another period of financial distress occurred. The Legislature of 1857 suspended the operation of the act of 1840, which forfeited the charter of a bank for suspension of specie payments, until November 15, 1858. The act was vetoed by the then executive, Governor Brown, and while repassed over the veto, the contentions on the subject, known as "the battle of the banks," created great excitement in Augusta, and throughout Georgia at the time. The bill was originally passed by a vote of 58 to 27 in the Senate, and 64 to 50 in the House. The governor sent in a veto message, which, while ostensibly confined to the measure under review, was really an attack upon banking and an argument against having any banks at all. His first point was that banks had peculiar privileges which were denied the ordinary citizen, and instanced this in the following way: "Two men work with their hands, the primary mode of making capital, till each makes a dollar in gold or silver. One loans his at interest. The law of our State permits him to receive only seven cents for the use of it one year, and if he charges more the law declares the excess to be usurious and void. The other applies to the Legislature and obtains a charter conferring upon him banking privileges. By this charter it is made lawful for him to pay his dollar as capital stock into the bank and to issue upon it three paper dollars. The bank is permitted to loan these three paper dollars at interest, and charge seven per cent. on each of them. If he were to loan them for one year at legal interest

he would receive for them twenty-one cents. These three paper dollars are based upon the one dollar in gold or silver, and the bank in fact receives the twenty-one cents interest upon his one dollar in specie, while the person without banking privileges receives only seven cents interest upon his dollar. But the banker is not content with twenty-one per cent. a year, or three times the amount received by his neighbor who is without banking privileges. He will not, therefore, lend his three paper dollars (his own notes) a year at seven per cent., but he will loan them at thirty days, first deducting interest out of the sum loaned, if the borrower will also pay one half, one, two or three per cent. a month usury under the name of exchange. . . . This increases the interest received on the banker's three paper dollars, or one silver dollar, to twenty-five, thirty, or thirty-five per cent. dependent on the amount of exchange or usury added each time the note or bill is renewed." He then proceeds to say that this is not all. The banker has still left the one silver dollar on which the three paper dollars were issued, and while the charter says the one silver dollar must be *paid in* before the three paper dollars issue, it does not say it must *stay in*, after they are issued. He can, therefore, lend that out too, and thereby make on the use of his one dollar from thirty to fifty per cent. while the non-banker can only make seven.

The consideration of the privileges accorded banks is, he says, that they should furnish a paper currency at all times convertible into specie on demand. Out of their profits they should buy specie and resume. He affirms that by suspending they are guilty of a high commercial, moral, and legal crime; a commercial crime because by suspending, they have brought on a commercial crisis, causing cotton to fall from seventeen to ten or eleven cents a pound and other property in proportion; a moral crime by refusing to keep faith with the people by the redemption of their promises; a legal crime by violating a positive statute of the State.

Since the establishment of the banking system in Georgia he notes that the country has passed through two or three periods of like distress. In 1840 the people determined to apply a remedy to suspensions at such epochs, and passed the act which makes a forfeiture of charter the penalty of suspension. If that law be violated the penalty should follow. None should be above the law.

He could not admit that the suspension of the Northern banks compelled those of Georgia to do so also. If so, why was it that nine of the South Carolina banks, most of those in Alabama, all of the Kentucky banks, and four or five in Georgia had not suspended? The constitution of Louisiana forbade the Legislature of that State to legalize a bank suspension. Referring to the statement that large public meetings in Augusta and Savannah had asked the banks to suspend, he queries how many bank directors, stockholders, or otherwise interested had managed these meetings, and asks why none were held elsewhere

in the State. He then discusses some of the details of the bill and takes up the argument that it would react injuriously on the people to wind up the banks as the banks only owe the people $5,000,000 and the people owe the banks $22,000,000. This being so, would alarmingly evidence how the banks are concentrating the wealth of the country in their own hands, but it is not true according to the sworn statements of the presidents and cashiers whose reports as made to the executive office "balance to a quarter of a cent." This expression was long memorable in Georgia. Lastly argues it was part of the contract whereby the bill-holder took the bill, that of the bank did not redeem it on demand, in specie, its charter should be forfeited, and argues that the act to legalize the suspension impaired the obligation of this contract and thereby violated constitution of the Unitcd States.

Great was the excitement in the Legislature when this veto came in. Long and fiery were the speeches, but the bill was repassed by 61 to 22 in the Senate, and 68 to 33 in the House, a small gain for the bill in either body. As will be remembered, the suspension was legalized to November 15, 1858, but on May 1, 1858, the banks resumed specie payment. A golden era ensued and lasted till the outbreak of the war, but before entering on this period we may give some further idea of banking in Augusta up to the time of the panic of 1857.

In 1835 there were eleven banks in operation in Georgia with an aggregate capital of $4,571,000, a total circulation of $3,942,000, and the sum of $2,111,000 in specie in their vaults. Three of the banks were in Augusta with capital, circulation, and specie as follows:

	Capital.	Circulation.	Specie in Vault.
Bank of Augusta.....	$ 600,000	$ 607,545	$ 381,181
Augusta Insurance and Banking Co...	175,000	160,146	78,404
Mechanics' Bank.....	400,000	457,244	207,598
	$1,175,000	$1,224,935	$667,183
Total in State.....	$4,571,000	$3,942,000	$2,111,000

In 1838 there were nineteen banks, the railroad banks being excluded, with a total capital of $8,648,562. The three Augusta banks above mentioned had an aggregate capitalization of 2,700,000, namely, Bank of Augusta, $1,200,000; Augusta Insurance and Banking Company, $500,000; Mechanics' Bank, $1,000,000.

The early policy of the State was to subsidize banks as it were by liberal subscriptions to stock, and from a report made in 1839 we have a very fair idea of the dividend paying power of the old Bank of Augusta. We give the names of the banks in which the State had stock, number of shares, amount paid therefor, and dividends and bonus received thereon from 1829 to 1838, both inclusive:

Bank.	No. Shares.	Amt. Paid.	Dividends.	Bonus.	Total.	Per.Ct.
State Bank	5,000	$500,000	$380,000	$30,000	$410,000	.82
Bank of Darien	5,000	325,000	178,750		178,750	.55
Bank of Augusta	1,000	100,000	80,000	20,310	100,310	1.03
Planters' Bank	1,000	80,000	56,800		56,800	.71

Showing that during this period the Bank of Augusta paid a regular eight per cent. dividend, and a bonus equal to two per cent more. In process of time the State's bank stock became reduced from one cause or another, and in 1859 there remained of the above but 1,833 shares in the State Bank and 890 shares in the Bank of Augusta. To this had been added 186 shares of stock in the Georgia Railroad and Banking Company, and the comptroller-general in 1859 states that these stocks paid an annual average dividend of ten per cent. As the Georgia Railroad Bank paid but eight per cent. in 1859 the other two must have averaged an eleven per cent. dividend.

In 1860 there were twenty-five banks in Georgia, including the Georgia and Central Railroad Banks, with an aggregate capital of $9,028,078, Augusta having six, with a capital of $2,675,000, as follows: Bank of Augusta, $600,000; Mechanics' Bank, $500,000; Georgia Railroad Bank, $500,000; City Bank, $400,000; Augusta Insurance and Banking Company, $375,000; Union Bank, $300,000 The prosperity of the State at this time was marvellous. The depression of 1857 passed away by the spring of 1858, and from that time to the outbreak of the war the taxable property of Georgia increased at a rate never known before. We have said that a golden era preceded the war, and the tax books sustain the assertion. The total valuation of the State and of Richmond county for the years 1858, 1859 and 1860, distinguishing slave property from other property, we here give:

	Slaves.	Other Property.	Total Valuation.
1858.			
The State	$227,468,927	$311,586,187	$539,055,114
Richmond county	3,693,300	14,390,781	18,084,081
1859.			
The State	$271,620,405	$337,989,471	$609,589,876
Richmond county	4,302,075	15,575,845	19,987,920
1860.			
The State	$302,694,855	$369,627,922	$672,322,777
Richmond county	4,407,870	17,166,487	21,574,357

The total valuation for the years named showed the following astounding increase:

	State.	Increase.	Richmond Co.	Increase.
1858	$539,055,114		$18,084,081	
1859	609,589,876	$70,534,762	19,987,920	$1,903,839
1860	672,322,777	62,732,901	21,574,357	1,586,437
		$133,267,663		$3,490,276
Slave increase '58–'59	75,225,928		714,570	
Other property	58,042,635		2,775,706	

Showing that, in the two years immediately preceding the war, the wealth of the State in property other than in slaves, had increased about eleven per cent., and the like wealth of Richmond county had increased fifteen per cent. The wealth of Richmond county in 1860 was made up of the following items:

Money and solvent debts	$7,118,247	
City or town property	4,964,450	
Land	1,941,448	
Merchandise	1,736,850	
Other property	1,405,492	
		$17,166,487
Slaves		4,407,870
		$21,574,357

But even this does not fully represent the taxable property of the county in 1860. It only represents the property returned to the county receiver of tax returns. There was, as we have seen, an aggregate bank capital in Augusta in 1860 of $2,675,000, which made return direct to the controller-general, and, accordingly, does not appear on the books of the local officials. In addition to this there were exempt from taxation all annual crops and provisions, all libraries, all fire-arms, all poultry, all plantation and mechanical tools, and all household and kitchen furniture not above three hundred dollars in value, all lands and stocks of literary associations, and two hundred dollars worth of all other property to each taxpayer. It is probably within bounds to say that, exclusive of slaves, Richmond county had, at least, $20,000,000 of property in 1860. The State tax was six and one-half cents on the $100; the State debt was $2,670,750; its assets were the State or Western and Atlantic Railroad, which cost $4,441,532, and paid $450,000 yearly into the treasury, and $807,025 in good, dividend paying stocks and bonds; there were 400 lunatics, 247 felons, and no paupers in a population of 1,057,248. It was truly a golden era, but this prosperity was laid a sacrifice on the altar of war.

In 1860 the Legislature authorized an issue of $1,000,000 in six per cent. twenty-year bonds, of which amount the banks of Augusta at once took $267,000, thus: Bank of Augusta, $60,000; Mechanics' Bank, $50,000; Georgia Railroad and Banking Company, $50,000; City Bank, $40,000; Augusta Insurance and Banking Company, $37,500, and the Union Bank, $30,000.

In the same year an act was passed relieving the banks from liability to forfeiture of their charters, up to December, 1861, in event they should be compelled to suspend specie payments, a privilege subsequently extended. In 1861 the banks lent the State $2,000,000 of their notes to bridge over an emergency. In 1862, in order to enable the State to assume her quota, $2,441,000, of the direct tax levied by the Confederate Congress, the banks took $1,920,000 of the bonds issued to meet that tax. From this time on there was

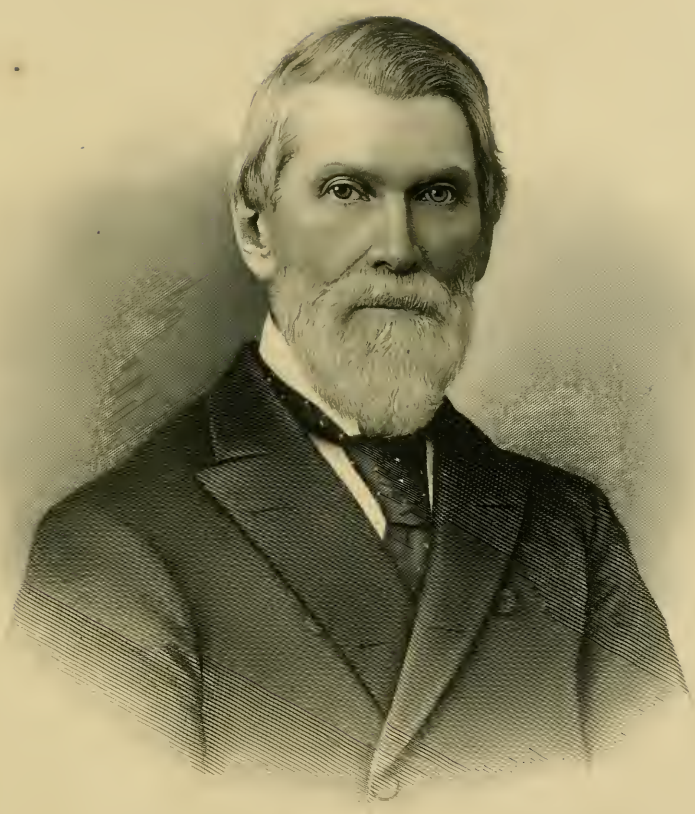
financial chaos. At the close of the war the State's indebtedness in bonds and notes was $20,811,525. The war bonds amounted to $3,308,500, in two issues, one of $2,441,000 Confederate direct tax bonds, and one of $867,500 of State defense bonds, the residue of the issue of $1,000,000 not being placed. There were out $3,758,000 of non-interest bearing treasury notes and treasury certificates of deposit, "payable in eight per cent. bonds or specie, six months after a treaty of peace, or when the banks of Savannah and Augusta resume specie payment, if before that time." There were also out non-interest bearing treasury notes and treasury certificates of deposit "payable in specie or six per cent. bonds of the State, six months after a treaty of peace shall have been ratified between the United States and the Confederate States," to the amount of $4,800,000. There were also in circulation Georgia treasury notes, payable in Confederate treasury notes "if presented within three months after maturity, otherwise not redeemable except in payment of public dues," to the amount of $5,171,500; and, lastly, there were change bills outstanding, payable only in Confederate treasury notes, to the amount of $977,775. The change bills were in the following denominations, five, ten, fifteen, twenty, twenty-five, fifty, and seventy-five cents, and one, two, three, and four dollars. Some $3,000.000 of these bills were issued.

How the banks fared during this period of inflation and distress may be surmised from the following statistics:

	1862.	1863.	1864.
Capital	$17,262,072	$17,335,832	$17,131,382
Circulation	15,339,241	15,572,542	15,135,680
Confederate bonds	2,367,029	3,528,616	6,207,227
Confederate notes	3,032,832	21,928,371	7,613,305
State bonds	1,332,205	1,359,950	1,287,500
State notes	527,700	1,260,747	1,524,042
Specie	1,643,463	1,498,118	1,294,527
Deposits	11,588,378	25,101,848	2,833,928

During the war one of the banks now in operation in Augusta was chartered, to wit: The Commercial Bank, though, as originally incorporated in 1863, it was called the Commercial Insurance Company of Augusta. At a subsequent date it was changed into a bank, and will be more fully mentioned hereafter.

When the war closed, the *ante bellum* banks of Augusta were practically wiped out of existence. Most of them had erected handsome buildings in the day of their prosperity, and some of these landmarks remain. The Mechanics' Bank building has already been mentioned as the granite structure on the north side of Broad street, a few doors east of Washington street. The Bank of Augusta had erected in 1856 a handsome brownstone front banking building on the north side of Broad street, between McIntosh and Jackson streets. The City Bank was on the same square where the Southern Express Company office



Alfred Baker

is now located. The Augusta Insurance and Banking Company had its quarters in the bank building on the same side of Broad street, between Jackson and Campbell, afterwards occupied by the Bank of Augusta, a corporation created since the war with the same name as the old bank, and now by Fleming, Thomas & Co., bankers. The Union Bank was located on same side of Broad street, between Campbell and Cumming streets, where the shoe house of Mulherin, Rice & Co., is now. The Georgia Railroad Bank occupied its present location, but from 1865 to 1870 did no banking business, its franchise having expired in the former and not being renewed till the latter year.

In December, 1865, the National Bank of Augusta was organized under the national bank act, with a capital of $500,000. The main spirit in its organization was that wealthy and powerful capitalist who has been connected with the starting of so many great and substantial enterprises, Mr. H. B. Plant. The first president of the bank was William B. Dinsmore, of New York. The administration of the bank, however, was carried on by the vice-president Judge B. H. Warren, until his death. At his demise the position of president was given to that capable financier, Mr. William E. Jackson, long president of the Augusta factory, who remained at the head of the institution until his death. Upon the decease of Mr. Jackson Mr Z. McCord was chosen. Mr. McCord was succeeded in the presidency by Mr. Charles Estes, for many years mayor of Augusta, and now president of the King Mills. Mr. Estes was succeeded by Mr. James Tobin, a most capable financier. From the organization of the bank up to 1884, Mr. George M. Thew was cashier, and was then succeeded by Mr. A. C. Beane. This bank has had the good fortune to have had excellent management during the whole period of its existence, and passed with flying colors through the crisis of 1873. The capital stock of the bank is $500,000, and the surplus $100,000. It carries an average deposit of from $325,000 to $350,000.

The National Exchange Bank of Augusta was organized under the national bank act in August, 1871, with a capital of $250,000. Mr. Alfred Baker, a veteran financier, whose biography appears elsewhere in this work, is the president of this institution, and has been from the time of its organization. For a number of years Mr. Joseph S. Beane, sr., a brother of the cashier of the National Bank of Augusta, was cashier, and since his death the position has been very ably filled by Captain Charles E. Coffin, a gentleman whose high character and great financial skill have made him treasurer of many of the associations of the city.

The State banks of Augusta are four in number, namely: The Georgia Railroad and Banking Company Bank, commonly called the Georgia Railroad Bank, The Commercial Bank, The Augusta Savings Bank, and The Planters' Loan and Savings Bank.

The history of the Georgia Railroad Bank up to 1864 has heretofore been

given. In December of that year the banking franchise of the company expired, and no effort was then made to obtain an extension or renewal thereof. In his annual report in 1864, Hon. John P. King, president of this company, said: "The banking charter expires in December next, and the Legislature has refused to renew it except upon terms deemed inadmissable. Banking charters are now of no value, and are in fact a heavy burden upon stockholders. From a very general misunderstanding of the resources of banks, and the extent of their profits, they seem to be considered by government, both State and Confederate, a never ending resource of taxation. If they can so use their assets as to liquidate their liabilities, it is probable that most of them will deem it good policy to surrender their charters and wind up their institutions." These views met the approval of stockholders, and no effort was made to obtain an extension of the banking franchise of the company. By act of 1865 the Legislature empowered it in order the better to close up its banking business to use the corporate name in all suits, legal proceedings, acts, and contracts where necessary to this end, and further empowered it to loan at seven per cent. for not exceeding six months any surplus money then on hand, provided, however, no notes were issued or other banking business done. A statement of the dividends paid by this company from the time it first got fairly in operation up to April, 1861, will be of interest, and is here subjoined.

STATEMENT OF DIVIDENDS DECLARED ON THE STOCK OF THE GEORGIA RAILROAD AND BANKING COMPANY.

Date of Dividend.	Number of Dividend.	Capital Stock.	Amount of Dividend.
November, 1836	No. 1	$ 858,615 00	26,018 00
February, 1837	" 2	1,170,715 00	41,452 80
October, 1837	" 3	1,434,405 00	53,962 54
April, 1838	" 4	1,910,215 00	70,492 90
October, 1838	" 5	2,011,895 00	80,300 96
April, 1839	" 6	2,116,810 00	84,178 00
January, 1840	" 7	2,143,317 00	86,233 58
April, 1840	" 8	2,193,952 00	86,513 48
April, 1842	" 9	2,201,612 00	220,161 20
January, 1846	" 10	2,288,449 92	45,768 88
October, 1846	" 11	2,289,199 92	55,783 99
April, 1847	" 12	2,289,199 92	45,783 99
October, 1847	" 13	2,289,199 92	68,675 99
April, 1848	" 14	2,293,118 36	68,807 01
October, 1848	" 15	2,262,497 16	67,874 91
April, 1849	" 16	2,262,497 16	79,187 31
October, 1849	" 17	4,000,000 00	140,000 00
April, 1850	" 18	4,000,000 00	140,000 00
October, 1850	" 19	4,000,000 00	140,000 00
April, 1851	" 20	4,000,000 00	140,000 00
October, 1851	" 21	4,000,000 00	140,000 00
April, 1852	" 22	4,000,000 00	140,000 00
October, 1852	" 23	4,000,000 00	140,000 00
April, 1853	" 24	4,000,000 00	160,000 00
October, 1853	" 25	4,000,000 00	160,000 00

Date of Dividend.	Number of Dividend.	Capital Stock.	Amount of Dividend.
April, 1854	" 26	4,156,000 00	166,240 00
April, 1855	" 27	4,156,000 00	145,460 00
October, 1855	" 28	4,156,000 00	145,460 00
April, 1856	" 29	4,156,000 00	166,240 00
October, 1856	" 30	4,156,000 00	166,240 00
April, 1857	" 31	4,156,000 00	166,240 00
November, 1857	" 32	4,156,000 00	124,680 00
April, 1858	" 33	4,156,000 00	124,680 00
October, 1858	" 34	4,156,000 00	145,460 00
April, 1859	" 35	4,156,000 00	166,240 00
October, 1859	" 36	4,156,000 00	166,240 00
April, 1860	" 37	4,156,000 00	166,240 00
October, 1860	" 38	4,156,000 00	166,240 00
April, 1861	" 39	4,156,000 00	166,240 00

It will be perceived that even during the panics of 1837 and 1857 this company regularly paid its dividend; and it may be here added that after payment of the last dividend, in April, 1861, there was then to the credit of the reserve fund the sum of $1,065,642. In a quarter of a century of operation, and that when railroading was in its infancy, some $4,700,000 was paid out in dividends. By act of October 19, 1870, the banking powers and privileges conferred on the company by the act of 1835, heretofore mentioned, were continued to it for the term of thirty years, or up to October 19, 1900. From 1861 to 1881 it paid out in dividends the sum of $4,154,576, or $99 50 per share. The capital of this company is $4,200,000, and the business done by this bank is the heaviest in the State, reaching $75,000,000 in a single year. It has has had but two presidents in its long career, Hon. John P. King, who presided over its affairs from 1833 to 1881, and Mr. Charles H. Phinizy since that date. More of this wonderfully successful corporation will be found in the chapter on railroads.

The Commercial Bank was originally chartered in 1863, for a term of thirty years, under the name of "The Commercial Insurance Company of Augusta." The incorporators were Henry F. Russell, Barney S. Dunbar, Jacob Danforth, William Battersby, Henry E. Clark, James T. Gardiner, Daniel B. Plumb, and George T. Barnes. The capital stock was fixed at $250,000 increasable to $1,000,000, but operations could be begun when $100,000 was subscribed, and five per cent thereof paid in. The company was authorized to insure against losses by fire in all kinds of property; also against the hazards of ocean or inland navigation and transportation of every kind; also, to make insurance on lives and every insurance appertaining to the duration of life. It was further empowered to receive money on deposit and make loans and discounts. The stockholders were made individually liable for the debts of the company to double the amount of their respective shares. In 1872 the corporate name was amended so that the same should be the Commercial Insurance and Banking Company of Augusta; and in 1875 was again changed to its pres-

ent style the Commercial Bank of Augusta. In 1876 the bank was authorized to reduce its capital stock from $300,000 to $200,000, without prejudice to a right to a future increase under its charter, the reduction to be made by a purchase and retirement of its stock. The personal liability clause of the charter was reaffirmed, and as to the retired stock was to continue for twelve months after such retirement. In 1887 the charter was extended for thirty years, and many valuable franchises were conferred upon it, by which it received the most enlarged banking powers, was authorized to create a savings department, to receive realty as collateral, or to deal in such property, to act as fiscal agent for the negotiation of bonds or to act as executor, trustee, agent, assignee, or receiver. The capital of this bank is $300,000. Mr. John A. North, an experienced financier, is president.

The Augusta Savings Institution of Augusta, Ga., was incorporated in 1875, and has been in successful operation since May of that year. The corporators were Alfred Baker, John B. King, William B. Young, George T. Barnes, William H. Howard, sr., E. R. Schneider, Charles Spaeth, C. Hunneken, Patrick Walsh, William Mulherin, and Edward O'Donnell. The bank was authorized to make loans and discounts, to receive deposits on interest; act as trustee; invest in stocks, bonds, or mortgnges on real estate. Deposits as small as one dollar were made receivable; no manager, officer, or agent of the corporation was to be allowed to borrow therefrom; the management was to be in the hands of a board of managers; and the private property of the managers for the time being is made liable for all deposits and for all debts incurred by the institution while under their management in the same manner as in ordinary commercial cases or cases of debt. Semi-annual returns are to be made to the governor setting out in detail the condition of the institution.

In 1881 the charter was so amended as to make the board of managers consist of four members, and it was declared that the private property of all incorporators for the time being should be liable for deposits or debts as in the act of 1875. Mr. Alfred Baker, president of the National Exchange Bank, is also president of this institution, and Mr. William B. Young, cashier.

The Planters' Loan and Savings Bank was incorporated in 1870, Charles J. Jenkins, John P. King, George M. Thew, Benjamin Conley, Thomas P. Branch, Joseph S. Bean, William H. Goodrich, William H. Scott, and M. I. Branch being the incorporators. The capital stock was $1,000,000, and when $100,000 was subscribed, and $50,000 paid in, the corporation was authorized to organize and proceed to business. The ordinary banking powers were granted, and, in addition, authority to purchase, hold, and sell real estate in the course of its business; act as trustee; guarantee securities, and loan on mortgages on real and personal property, or on crop liens, receiving interest in money or products, or both. Stockholders were individually liable for the debts of the bank in proportion to their stock. In 1873 the charter was amended so as to make the shares ten dollars each instead of one hundred dollars.

In 1887 the bank was authorized to change its name to the People's Insurance and Banking Company; and to do a fire and marine insurance by participating policies if deemed advisable; it being provided that no stockholder should be individually liable on insurance policies. The president of this bank is Mr. William E. Benson, and its capital stock $100,000.

The aggregate banking operations of the city will run to $200,000,000. The foreign exchange is $17,000,000 For cotton alone $280,000 have been used in one day. As much as $800,000 has been sent to Augusta to purchase cotton. The direction of exchanges has largely changed to the West from the North.

Quite a number of other banks have been incorporated for Augusta since the war, but never went into operation, or have ceased to exist. Some sketch of them may be of interest.

In 1865 the City Loan Association and Savings Bank of Augusta was incorporated, the incorporators being Henry Myers, W. H. Howard, F. C Barber, Joseph P. Carr, John E. Marley, W. A. Ramsey, William C. Barber, and John Kenny. The capital stock was $100,000, increasable to $400,000 in $50 shares, said stock being pledged for the security of deposits, and stockholders being liable to depositors to the extent of their unpaid stock. The corporation was vested with the ordinary banking powers, but forbidden to issue notes or bills as a circulating medium.

In the same year the Mechanics' Savings Bank of Augusta was incorporated with a capital of $200,000, increasable to $400,000 in $50 shares, the corporators being Henry Moore, Porter Fleming, John H. Baker, John D. Butt, George McCord, C. A. Rowland, John Butt, Charles Estes, W. E. Jackson, and George T. Jackson.

In 1865 a third bank, the Savings Bank of Augusta, was incorporated with a capital of $30,000, increasable to $100,000 in $100 shares, H. H. Hickman, E. P. Clayton, J. B. Walker, T. W. Chichester, Benjamin Conley, and C. F. McCay being the incorporators. The capital was made a fund pledged for the security of depositors. In 1866 the charter was so amended as to allow the capital to be increased to $500,000.

In 1872 the name was amended by striking the word "savings" therefrom so that it then read, the Bank of Augusta, being identical in name with the venerable bank of 1810.

In 1879 the capital, then $350,000, was authorized to be reduced to any sum not below $200,000 by purchase and retirement of stock, and the bank was made one of deposit, discount, and loan. In 1882 the stock was authorized to be further reduced from its then figure, $350,009, to $125,000 in same manner. In 1886 this bank failed.

In 1872 the City Loan and Savings Bank of Augusta was incorporated with a capital not to exceed $500,000 in $100 shares, organization to be had when

$100,000 was subscribed and $50,000 paid in; John P. King, Thomas G. Barrett, Charles H. Phinizy, George T. Jackson, W. M. Read, W. H. Barrett, William C. Sibley, and P. H. Woodward being the incorporators. This bank was authorized to receive deposits, make or negotiate loans, guarantee securities, act as trustee, and exercise the powers generally of the Planter's Loan and Savings Bank.

In 1873 the Manufacturers' Bank of Augusta was chartered with a capital of $100,000, increasable to $500,000 in $100 shares. Each stockholder was liable in proportion to the amount of his stock. The incorporators were William S. Roberts, Henry F. Russell, Charles H. Phinizy, William T. Wheless, and William F. Herring.

In 1879 Joseph S. Bean, jr., D. B. Hack, M. A. Stovall, John D. Hahn, and Ernest R. Schneider were incorporated as the Augusta Savings Bank.

In 1880 the Citizens' Bank of Augusta was incorporated with a capital of $200,000, increasable to $500,000 in $100 shares, business to begin when $20,000 was paid in. This bank was authorized to issue bills not to exceed three times the amount of the capital paid in, and stockholders were individually liable in proportion to their stock. The incorporators were William H. Howard, Vernon Richards, William A. Latimer, John Doscher, John W. Wallace, Andrew J. Smith, Bernard Franklin, John A. Bell, Zachariah McCord, and Patrick Armstrong. In 1881 the charter was amended so as to allow business to begin when $10,000 was paid in.

In 1881 William J. Wheless, Edgar R. Derry, J. V. H. Allen, P. E. Pearce, and H. Clay Foster were incorporated as the City Bank of Augusta, with a capital stock of $200,000, increasable to $1,000,000 in $100 shares, business to begin when $50,000 was paid in. The stockholders were liable to contribute to the payment of the debts of the corporation an amount equal to the par value of the stock held by them at the time of the bank failure.

During the existence of the State banking system divers highly penal laws were passed for the purpose of preventing violations of the trust and confidence necessarily reposed in such institutions. These statutes were codified into the penal code adopted in 1833, and at various times since have been amplified or amended. To a certain extent they are still applicable to banks operating under the State system, and some synopsis of this legislation will be here given.

Any president, director, or stockholder of an incorporated bank of this State who shall embezzle, steal, secrete, or fraudulently take and carry away any bullion, notes, bill, bills of exchange, warrants, deeds, bonds, drafts, checks, or other things of value, the property thereof, or any of the books thereof, is punishable by imprisonment in the penitentiary for not less than two nor longer seven years. Any president, director, or other officer of any such bank violating, or being concerned in the violation, of any provision of the bank charter, is punishable by like imprisonment for not less than one year or more than ten.

Every such officer is presumed to have a sufficient knowledge of the affairs of his institution to determine whether any act or omission is a violation of the charter, and if present at a meeting where such violation occurs is deemed to have concurred therein unless he cause his dissent to be entered at the time on the minutes of the board; and if not present, but remaining an officer for three months thereafter without entering his dissent, is also deemed to have concurred therein. Every insolvency of a chartered bank or failure to redeem its bills on demand, in specie or current bank bills, is deemed fraudulent, but the officials may repel this presumption by showing that the affairs of the bank have been fairly and legally administered, and that the officers thereof have used the same care and diligence as all other agents receiving a compensation for their services are required by law to exercise. Where deposits are made in a bank at the time insolvent, and so known by the officials having charge thereof, and the deposit is not paid to the depositor within three days after demand, such officers are punishable by imprisonment in the penitentiary for not less than one year, nor more than ten. All conveyances, assignments, or transfers of stock or effects made by a bank in contemplation of insolvency, or after insolvency, except for the benefit of all the stockholders and creditors, unless made for value to an innocent purchaser are void; and the officers making or consenting to such assignment, etc., even if to an innocent purchaser, are punishable by like imprisonment for not less than four nor more than ten years. Purchase by bank officers of its paper at a discount either for themselves or the bank is punishable by a like term as that first mentioned. Declaring fraudulent dividends, or other than out of net proceeds, is similiarly punishable. Purchase of shares with the capital stock is punishable by from one to ten years imprisonment.

On the organization of the royal, or king's, government in Georgia in 1755, one of the first statutes was one regulating the rate of interest which was allowed to be ten per cent. In 1759, this was reduced to eight per cent., the preamble to the act reciting that "the high rate of interest in this province of Georgia is a great discouragement to planters and others from improving their landed estates, by reason that the profits arising from such improvements do not equal the sum paid for money so laid out and employed." It was therefore provided that all agreements wherein it was stipulated that a greater interest than eight per cent. per annum should be paid, should be utterly void, and that any one taking a greater rate shonld forfeit three times the sum loaned.

In 1814 the same rate was re-affirmed and the penalty left as it stood.

In 1822 the act of 1759 was so amended as to forfeit only the entire interest, but to leave the principal recoverable.

In 1845 the rate was reduced to seven per cent., any excess to forfeit the whole interest but impose no other penalty.

In 1857 it was provided that the rate of bank discount should not exceed

seven per cent. per annum, under penalty of avoiding and annulling the entire debt.

By the code of 1863 the rate was to be seven per cent.; all over was usury; but the effect of the usury was only to void the contract so far as the usury was concerned, leaving the principal and legal interest thereon recoverable.

In 1871 it was enacted that if the contract were silent as to the rate of interest, seven per cent. was collectible; but by contract in writing any rate not to exceed ten per cent. should be legal; if more was stipulated, only the excess was non-collectible.

In 1872, it was provided that no bank should charge over seven per cent. on loan or discount, and any excess paid should be recoverable if sued for within sixty days after payment thereof.

In 1873 banks were placed on the same footing as individuals as regards interest, usury, and penalties, the effect of which was to restore the act of 1871, but five days after this first act, a second was passed which abolished the usury laws *in toto*, and established a conventional rate of interest, that is, made it lawful to contract in writing for any rate agreed upon by the parties, whether more or less than seven per cent. If no rate was stated, seven per cent. was to be understood.

In 1875 the rate was restricted to not exceeding twelve per cent. provided it were specified in writing. For an excess both excess and interest were forfeited. If no rate was expressed, seven per cent. was to be understood.

In 1879 it was made unlawful to charge more than eight per cent.; and any excess, forfeited both interest and excess. Seven per cent. still remained the rate where none was expressed. This act made it obligatory on any party suing on a contract which expressed a higher rate than seven per cent. to allege and prove that no greater rate than eight per cent. had been, or was to be, taken.

In 1881 this act was amended so as to make the penalty for a greater rate than eight per cent. a forfeiture of excess only; and to do away with the requirement of proving no excess had been, or was to be taken; so that as the law now stands, the legal rate of interest is seven per cent. where nothing is said upon the subject in the contract, but by specifying the same, the rate may be not exceeding eight per cent. the penalty for excess being forfeiture of excess.

With this we may end a somewhat extended sketch of banks and banking in Augusta. It will be seen that in the long course of some eighty years since the old Bank of Augusta the second bank chartered in Georgia, was incorporated, the record of banking in the city has been highly creditable. One failure before, and one since, the war, the instances occurring about a half a century apart, form the exceptions which demonstrate an excellent general rule. The downfall of the old *régimé* of banks in 1865 can hardly be deemed a banking failure proper. The banks had simply gone out of their line into the business of

government and on the downfall of the government of which they had become mere adjuncts fell like the governing authority itself. Even in this fall some passed away honorably, redeeming in whole or part their bills.

CHAPTER XXIX.

CHURCHES.

Early Religious Discrimination in Georgia—Establishment of Religious Freedom—The Colony Divided into Parishes—Church of England Established—Parish of St. Paul—Augusta's First Clergyman—Rectors of St. Paul's Church—Worshipers Required to Carry Fire-arms to Church—St. Paul's Burned in the Revolution—A New Church Built—The Protestant Episcopal Society Incorporated—St. Paul's Rebuilt—St. Paul's Ancient Tombs—Church of the Atonement—The Presbyterian Churches—History of the First Presbyterian—Originally called Christ Church—Incorporated in 1808—List of Pastors—The Telfair Building—A Model Sunday-school—Changes in Charter—The Pew Law—Who is a Worshiper—Baptist Churches—The Old Kioka Church—Daniel Marshall's Grave—First Baptist Church Incorporated in 1809 Reincorporated in 1817—Building Completed in 1819—List of Pastors—Second Baptist Church Incorporated in 1860—The Baptist Convention—Methodist Church—Early Difficulties—"The Weeping Prophet"—St. John's Established in 1801—Rev. John Garvin, Its First Pastor—His Distinguished Successors—St. James Built in 1855—Other Methodist Churches—Early Catholics—Catholic Society Incorporated in 1811—The First Church—Diocese of Georgia Created in 1850—List of Bishops—St. Mary's Convent Established in 1853—Consecration of St. Patrick's Church in 1862—Father Duggan and Other Pastors—Sacred Heart Church Built in 1874—Sacred Heart Academy in 1876—The Franciscan Sisters—The Christian Church—The Lutheran Church—The Synagogue—The Unitarian Society—Colored Churches—Quaint Observances—Young Men's Christian Association—Ministerial Association—Liberal Religious Sentiment.

BY the charter of Georgia it was provided "that forever hereafter there shall be a liberty of conscience allowed in the worship of God to all persons inhabiting, or which shall inhabit or be resident within our said province, and that all such persons, except Papists, shall have a free exercise of religion, so they be contented with the quiet and peaceable enjoyment of the same, not giving offence or scandal to the government."

By the sixth article of the first State Constitution of Georgia, as adopted on February 5, 1777, it was provided that no person should be eligible to be a member of the House of Representatives unless, among other qualifications, he were "of the Protestant religion," but in 1789 when the second constitution of the State was adopted it was specifically provided that "all persons shall have the free exercise of religion," and thus the faith of the Scottish Highlanders

who saved the infant colony at the battle of Bloody Marsh with the Spaniards, and of the French auxiliaries who poured out their blood before Savannah was put upon a footing of legal equality in Georgia with all other creeds.

The discrimination against Catholics was not, however, the only governmental interference with matters of religion in Georgia's early days, for while the charter established religious liberty for all but Catholics, both the Colonial and home government lent their influence in favor of the Church of England. Upon the cessation of the proprietary government and the erection of the province into a King's government, one of the first acts of the Colonial Assembly was to divide it into parishes and provide for the support of Episcopal worship therein. In 1758 the province was laid off into eight parishes named respectively the parishes of Christ Church, St. Matthew, St. George, St. Paul, St. Philip, St. John, St. Andrew, and St. James. What had been the district of Augusta became the parish of St. Paul, and it was provided that from and after March 17, 1758, "the church erected in the town of Augusta with the cemetery or burial place thereto belonging, shall be the parish church and burial place of St. Paul." For the management of the parish many regulations were made, it being the avowed purpose of the act to establish the Church of England as the governmental faith, as appears by the title of the statute which reads as follows: "An act for constituting and dividing the several districts and divisions of the province into parishes, and for establishing religious worship therein, according to the rites and ceremonies of the Church of England; and also for empowering the churchwardens and vestrymen of the respective parishes to assess rates for the repair of churches, the relief of the poor, and other parochial services." Vestrymen and churchwardens were to be selected and sworn to the faithful performance of their duties. For the purpose of keeping the church edifice in repair, for the care of the appurtenant cemetery, sacred utensils, and ornaments, to provide bread and wine for the Holy Eucharist, to pay the salaries of clerk and sexton and to assist the poor and impotent of the parish, the rector, churchwardens, and vestrymen were empowered to levy a tax on the estate real and personal of all the inhabitants within the parish sufficient to yield annually the sum of thirty pounds. With the rector, churchwardens, and vestrymen rested the authority of appointing sextons and of regulating their salaries and fees. The rector was to be one of the vestry, and the churchwardens were instructed, at the charge of the parish, to procure a well bound paper or parchment book wherein the vestry clerk was to "register the births, christenings, marriages, and burials of all and every person and persons that shall from time to time be born, christened, married or buried within the said parish, under the penalty of five pounds sterling on failure thereof." Such registers were to be adjudged and accepted in all courts of record in the province as furnishing sufficient proof of the births, marriages, christenings, and burials therein recorded. If any party was con-

victed of "wilfully making or causing to be made any false entry therein," or of "wilfully erasing, altering or defacing an entry, or of embezzling any entry or book of record, he was to be adjudged guilty of a felony and to be punished with death without benefit of clergy." The vestry was instructed to nominate a proper person to keep a record of its proceedings, and to act as the custodian of its books and papers. No authority was conferred upon rectors to exercise any ecclesiastical jurisdiction or to administer ecclesiastical law.

But, to quote Colonel C. C. Jones, the great authority in Georgia on all matters of Colonial history, "while the patronage of the Crown and the favor of the Colonial assembly were extended in this special manner in aid of churches professing the Episcopal faith, it was not the purpose of this act to sustain them by exclusive recognition. This would have involved a violation of the privileges originally promulgated in the charter granted to the trustees. The idea appeared to be to accord to that denomination, within the limits of Georgia, a preference akin to that which the Church of England enjoyed within the Realm, to create certain offices for the encouragement of that religious persuasion and the extension of the Gospel in accordance with its form of worship and mode of government, and to describe a method by which faithful registers of births, marriages, christenings, and deaths might be made and perpetuated. Numerous were the dissenters then in the province. They were represented by Presbyterians, Lutherans, Congregationalists, Methodists, Anabaptists, and a few Hebrews. To all sects, save Papists, was free toleration accorded, and wherever a dissenting congregation organized and applied for a grant of land whereon to build a church, the petition did not pass unheeded. There can be no doubt, however, but that it was the intention of the government, both Royal and Colonial, to engraft the Church of England upon the province and within certain limits, to advance its prosperity and ensure its permanency. At the same time a loyal adherence to its rubrics was in no wise made a condition precedent to political preferment."

While Augusta was laid out in 1735 it was not until 1751 that it had stated religious services or a regular pastor. About that time a number of the principal inhabitants forwarded a memorial to the "Society for the Propagation of the Gospel in foreign parts," setting forth their spiritual needs, and asking assistance. It appears that as an earnest of their disposition they built a church near the fort on the Savannah River, the location of which is supposed, and probably with entire correctness, to be on or near the site of the present St. Paul's Church; and agreed to build a parsonage, set apart a glebe, and raise a salary of twenty pounds per annum if a clergyman were sent there. Rev. Jonathan Copp, a native of Connecticut and graduate of Yale, who had been ordained by Dr. Sherlock, the famous Bishop of London, was selected to go as a missionary to Augusta, then the furthest point in Georgia, to which the Church of England had penetrated, and about 1751 entered on his ministry

with joy and hope. According to Colonel Jones: "Although he found a congregation numbering one hundred souls, with eight communicants, there was no parsonage, the glebe land lay uncultivated, and there appeared but little hope of collecting the twenty pounds offered by the committee. He continued to labor in this isolated field with indifferent success and in extreme poverty, for some five years; when, utterly disappointed and disheartened, he accepted the rectorship of St. John's Parish in South Carolina, where he died in 1762."

Some eight years after Mr. Copp's removal, the Rev. Samuel Prink was sent out by the Society. He reported the population of Augusta at that time as 540 whites, 501 slaves, and 90 Chickasaw Indians. Mr. Prink labored until 1767, when he was succeeded by Rev. Edward Ellington. In 1768 this zealous and faithful rector reported that St. Paul's Church was the only place of worship within one hundred miles of Augusta. His exertions, as appears from the society's reports, were most strenuous and praiseworthy. He generally left home on Monday, traveled thirty or forty miles and preached at three different places about ten miles apart during the week, and returned on Friday for the next Sunday's services. During his three years' service he traveled over three thousand miles to minister to his scattered flock, baptised 428 persons, mostly children, married sixty-two couples, and raised the number of communicants to forty. After Mr. Ellington's departure in 1770 it was a number of years before we find trace of any clergyman in Augusta. The times seemed to be portentous of the storm about to break in the Revolutionary War, and from an act of this year, 1770, the performance of divine service seems not unattended with peril. The act is entitled "an act for the better security of the inhabitants by obliging the white male persons to carry fire-arms to places of public worship," and provides that every such person liable to militia duty shall on "resorting on any Sunday or other times, to any church, or other places of divine worship within the parish where such person shall reside, shall carry with him a gun, or a pair of pistols, in good order and fit for service, with at least six charges of gunpowder and ball, and shall take the said gun or pistols with him to the pew or seat where such person shall sit, remain, or be, within or about the said church or place of worship, under the penalty of ten shillings for every neglect of the same, to be recovered by warrant of distress and sale of the offender's goods," one-half the fine to go to the churchwardens and the other to the informer. The churchwardens of each parish, and the deacons, elders, or select men of other places of worship were to examine every male person attending such church on Christmas and Easter, and on twelve other times during the year to see if he was so armed, and if not, such officials if not lodging information of the fact in fifteen days were to forfeit the sum of five pounds; any person declining to allow examination of his weapons was to forfeit ten shillings.

Then the Revolutionary War came on. Augusta was the scene of a bloody border warfare and the voice of religion seemed lost in the clash of arms. St. Paul's was burned by the British, or their loyalist allies, and in 1782 the Legislature which met in Augusta, in summing up the wrongs of Georgia, evidently refers to this heinous act in speaking of "the abandoned profligacy of setting torches to temples dedicated to the service of the Most High God, whereby they completed a violation of every right, human and divine."

After the war one of the first cares of the Legislature was to rehabilitate the interests of religion in Augusta, and by act of 1783 certain commissioners were appointed to sell the town lots of that city and out of the proceeds to erect on one of the best lots "a church or house of worship to the Divine Being by whose blessing the independence of the United States has been established." A new St. Paul's was accordingly erected on the site of the old one in 1786. Three years later the governor was empowered on the application of any religious society then erected to grant the petitioners a charter of incorporation on the same terms as those granted Christ Church in Savannah, which provided for the election annually on Easter Monday of two churchwardens and seven vestrymen. It does not appear that the Episcopalians of Augusta availed themselves of this act, but it seems that Rev. Mr. Boyd officiated for them for some ten years after the building of the second St. Paul's.

For some twenty years after this, the Episcopalians of Augusta appear to have been unable to support a rector, and no mention appears of their denomination, but in 1816 John Milledge, John Carter, Valentine Walker, George Walton, Thomas Watkins, Richard Tubman, Edward F. Campbell, Augustine Slaughter, Freeman Walker, Joseph Hutchinson, William M. Cowles, John A. Barnes, Milledge Galphin, and Patrick Carnes were incorporated as "the trustees of the Protestant Episcopal Society in the city of Augusta and county of Richmond." The trustees of Richmond Academy were directed to convey them an acre of ground for the erection of a church. The act required that three pews in the church should be reserved for the use of strangers, and provided that no one residing out of the county should be eligible to be a trustee. Under this act a third St. Paul's Church was erected on the site of the first. This building still stands. It was completed in 1820 and consecrated by Bishop Bowen, of South Carolina, on March 20, 1821. Pending the erection of the edifice Rev. Hugh Smith was called to the rectorate and officiated from 1819 to 1831. On the removal of Mr. Smith, Rev. Edward Eugene Ford became rector in April, 1832, and for more than thirty years served faithfully in his high vocation. Dr. Ford died on Christmas Eve, 1862, and was buried beneath the altar. A handsome memorial tablet in the church records his long service and many virtues. He was succeeded by Rev. William H. Clarke, who also died in harness, departing this life in January, 1877. Mr. Clarke was succeeded by Rev. Chauncey C. Williams, the present rector. In seventy years

St. Paul's has, therefore, had but four rectors. For many years, and in fact, up to the opening of the present city cemetery, St. Paul's churchyard was the common burial place of Augusta, and in the yard may be seen the tombs of those of all denominations. Many of the monuments are very old. Here lies Oliver Bowen, the commodore of the American Navy in the Revolution. William Longstreet, inventor of the steamboat, is also interred here, as also Marshall Forsyth, father of the celebrated John Forsyth, and a soldier of the Revolution and member of the Order of the Cincinnati, the insignia of which are sculptured on his tomb. A nephew of General Washington, who came south for his health and died in Augusta, and several of the French refugees from San Domingo, and one of the exiles from Ireland, in consequence of the rising of '98, are also buried beneath the shadow of St. Paul's. Rev. Mr. Clarke, rector, and General Polk, an Episcopal bishop, are interred here. An act of 1818 recites that from time immemorial that lot in Augusta bounded north by the river, east by Washington street, south by Reynolds street, and west by lands of Jacob Danforth, had been used as a burial place and conveys the same to the trustees of the Protestant Episcopal Church of the City of Augusta so long as the same was used as a place of interment and for the site of a church, but on failure to devote the same to such purposes, to revert to the State. A walk in this ancient cemetery is full of interest. This graveyard was formerly larger than it is, the western part having been used for the interment of slaves, but in 1826 an act of the Legislature authorized the sale of that part, the proceeds to go to the vestry, on the remains being removed and carefully interred in the new colored cemetery and a brick wall being built on the line formerly dividing the white and colored burial grounds. This wall is still to be seen and marks the western limit of the white portion of the original cemetery.

The Church of the Atonement is a handsome Episcopal edifice on the corner of Telfair and Kollock streets. It is built in the form of a cross and is covered with ivy, presenting an antique and picturesque appearance, though of modern date.

The Presbyterian Church in Augusta is said to date from 1804, and the present organization may possibly only go back that far, but there are evidences that this denomination, or one closely allied to it, is of older date. As far back as 1796 we find that the trustees of the town of Augusta were directed to convey a one-acre lot for the erection of a church thereon to Cornelius Dysart, Samuel Jack, Dennis Smelt, Isaac Herbert, James Pearre, John Springer, and Moses Waddel, who were incorporated as "the trustees of the Augusta Meeting House." From a still older act we gather that this was a Congregational Church, but it does not appear that a building was erected.

Returning to the Presbyterian Church, there was a congregation of that denomination in Augusta in 1804, with Rev. Washington McKnight as pastor. In 1805, on the death of Mr. McKnight, Rev. John R. Thompson, then rector

of the Richmond Academy, was called to the charge on July 3, 1806, and served acceptably to his death in 1816. Up to the time of Mr. Thompson's incumbency the church had three ruling elders, but three more were then added, Messrs. Oswell Eve, Thomas Cumming, and Augustus Moore. The church was at that time called "St. Paul's Church," from the fact that they then worshiped in the second St. Paul's Church which was rented them by the trustees of Richmond Academy, the Episcopal organization, as has been stated being in abeyance from about 1796 to 1816, and St. Paul's being used for other denominations.

The system of renting being uncertain and the congregation increasing, the members subscribed for the erection of a church of their own, and nominated John Taylor, James Pearre, John Wilson, sr., Thomas Cumming, John Campbell, John B. Barnes, and William White as trustees, who were incorporated by act of December 16, 1808, as "trustees of Christ Church in the city of Augusta." The act provided that these trustees should remain in office until January 1, 1810, on which day, and on the first day of January annually thereafter, the congregation was to elect seven trustees, none to be eligible if residing out of the county. Until the new church was built the congregation was to meet in St. Paul's. The act further provided that the trustees of Richmond Academy should convey to the church trustees that lot of land in Augusta, then on the commons, bounded "on the north by Telfair street, on the east by the road leading from Washington street to Savannah, on the west by McIntosh street, and on the south by a line to be drawn parallel to and distant from Telfair street aforesaid, three hundred feet."

On the passage of this act the congregation met and appointed Messrs. John Murray, David Reed, Robert Creswell, Oswell Eve, and Ferdinand Phinizy as a building committee. The corner-stone was laid on July 4, 1809, by Dr. John Mundy, in the presence of the trustees and congregation of the church, the trustees of Richmond Academy, the city officials, and a large concourse of citizens. The building was completed in 1812, and dedicated on the 17th of May in that year, the spire being added in 1818.

After Mr. Thompson's death in 1816 the pastorate was vacant till February 6, 1820, when Rev. Mr. Moderwel was called to the charge and remained till July 16, 1826, at which time Rev. Drs. Davis and Talmage officiated conjointly for about a year. Then Dr. Talmage was pastor till 1835 when he accepted a call to Oglethorpe University, and the pulpit was vacant till May, 1837, when Rev. A. N. Cunningham was called and served till 1842, when he was succeeded by Rev. C. S. Dod, who resigned a few years after. In 1867 Rev. Ebenezer P. Rogers became pastor, and after him Rev. James R. Wilson, D.D., who resigned in 1870 to accept the chair of pastoral theology in the seminary at Columbia. In November, 1870, Rev. Dr. Robert Irvine was called from Knox's Church, Montreal, Canada, who remained till his death, in 1883. Dr.

Irvine was a man of great learning, eloquence, and power, of fine personal presence and high executive ability. During his pastorate three new Presbyterian churches were erected, the Riverside Chapel on Bay street, the Second Presbyterian, a handsome edifice on Upper Green street, and Sibley Church on Upper Broad. The Sabbath-schools largely increased, and number some five hundred scholars. At the same time the church membership was increased to three hundred and five. A handsome marble monument to Dr. Irvine, surmounted by a statue of him, heroic size, in his robes, now stands close by the church.

The grounds have been further beautified by the Telfair building, justly claimed to be the best, the finest, the most beautiful and convenient Sunday-school building in the United States.

Miss Mary Telfair, of Savannah, a wealthy old maiden lady, died leaving a bequest of $30,000 "to the Presbyterian Church of Augusta, bearing her name, to erect a suitable and commodious Sunday-school house and library." On the 25th of April, 1883, the money was paid to Mr. Alfred Baker, chairman of the board of trustees. The plans were made by Mr. Jacob Snyder, of Akron, O., a church architect, with the light of suggestions from Mr. J. W. Wallace, the sixth superintendent of this Sunday-school, who has held his place for twenty years. On the 6th of August, 1883, the building was contracted for.

The corner-stone was laid in September, 1883, and work begun. Mr. Baker resigned in January, 1884, and General M. A. Stovall suceeded him as president of the board, directing the construction, at the head of a building committee, consisting of George T. Jackson, W. F. Alexander, J. A. North, and John D. Butt. The building was completed, and on Sunday, June 22d, 1884, it was dedicated by imposing ceremonies.

It has been put up after the pattern of several successfully operated halls, and is an improvement upon each, and finer than them all. The great difficulty with Sunday-schools heretofore has been to separate the different departments and classes during the time for instruction, and yet save time and prevent confusion upon the reassembling of classes, as well as to economize space in providing for these changes. "Complete separation," says an experienced authority, "where teacher shall be brought face to face with his class, yet union, speedy and quiet, together with capacity to accommodate each member of the school, was the problem." The Sunday-school room is the largest and central room in this new building, and is most spacious and finished and ingenious in its arrangement.

The superintendent's desk is in the center of the semi-circle, and the level space in front of him is filled with walnut chairs, while back of these, in easy view of the superintendent, yet separated from each other by walls and sash doors, are the different compartments for the intermediate and primary classes. The seats for the smaller children are arranged tier upon tier, resembling

"gently sloping hillsides" encircling the teacher. The doors closed, the class is entirely to itself, without the danger of interference from the outside; a signal from the superintendent, however, the doors are opened, and that officer stands as the easy focus of every eye. This spacious Sunday-school auditorium occupies the height of two stories, and is fifty-three feet by forty-five in length and breadth, and twenty-eight feet in pitch. Over the lower class rooms are symmetrical Bible class apartments, similarly opened and closed, and all within easy sight of the superintendent's desk. From the second story a balcony projects, which is reached by half spiral steps from the vestibules below, and which is arranged in tiers for the accommodation of visitors, so ordered, however, that the view of the second story class-rooms is not obstructed from the superintendent. The plan of one central or main room connected with two stories of radiating class-rooms, made radiating to secure a mutual view between the occupants of the superintendent's platform and those of the twelve radiating class-rooms, is a capital one, and affords exceptional advantages for officers and pupils. Both the intermediate and infant class-rooms down stairs have a separate staircase from the outside, and these lower apartments will accommodate two hundred and ten children. The Bible-class rooms up stairs enable older children and adults to enjoy quiet for their meetings and exercises, and yet give them the advantage, if not the publicity, of the song and prayer service of the whole school. This main room is elegantly ventilated from the cupola overhead, and four arched windows of colored cathedral glass, with the light of the class-rooms, furnish sufficient sunshine for the afternoon or morning exercises. The room is beautifully finished. The ceiling is a delicate blue, upon which the projecting oak work of the Elizabethan style is massive and elegant. The walls are cream color, the carpets bright, and the oak and bronze railing of the gallery is very handsome. Upon the walls of the main room is the inscription, "and they search the Scriptures daily whether those things were so." Back of the superintendent's stand is a marble tablet with the words, "held in grateful remembrance, Mary Telfair, of Savannah, through whose munificent bequest has this edifice been erected and furnished."

The front room on the first floor, reached upon entering the building from the vestibule, is the lecture-room, richly carpeted, with trim little pulpit, confronted by comfortable mahogany chairs. The pitch of this room is twenty-eight feet, and its dimensions are thirty-six by thirty feet. It is large enough, and yet as cosy and finished as an office. On the right is the Sunday-school library, through which the scholars will pass in entering the main room, and change their books. This is twenty-five by twelve feet; it is well supplied, and contains cells for three thousand books. To the left of the lecture-room is the pastor's library, study and office, a counterpart to the library, where the pastor will have his headquarters. Upstairs, over the lecture-room, is the ladies' society room, thirty-six by thirty feet, elegantly fitted up and supplied with toilet-rooms and kitchen, designed for church entertainments, charity suppers, etc.

Taste, ingenuity, experience, care and money have been expended without stint to make the structure what it is confessedly, the finest and most complete in the country. The inside is of pure cathedral architecture; the outside is of solid and symmetric Gothic build. There are in this beautiful structure ninety-six windows, and the building is illuminated at night with one hundred and fifty gas burners. The chairs are moveable and are solid walnut; the glasses are colored cathedral style; the rooms are warmed with furnaces, and the mantels are exquisite stone pieces. The building cost throughout $32,000.

As originally incorporated this church was called Christ Church, but by act of December 29, 1836, this name was changed to First Presbyterian Church in Augusta, by which it has since been known; the act also required the election of trustees on the first of January annually. In 1859 another act was passed which minutely regulates the matter of pews, and rights of pew-holders. It provides that the trustees may call a meeting of pew-holders at any time on one week's notice in any city paper and oral notice from the pulpit on the Sunday before the meeting; that at such meeting, which shall be held in the church or at the lecture room, each pew-holder shall have one vote, in person or by proxy, and that all assessments made at such meetings shall be binding on all pew-holders and may be collected by law. It further provides that if any pew-holder be in arrears for two years' annual assessment, the trustees may, by resolution entered in the minutes, declare such pew forfeited, and it shall thereupon revert to the church, or if the trustees so elect the pew may be sold by execution issued on judgment obtained for the amount of unpaid assessment, as in case of other property. All pews belonging to estates on which there is no representation for two years shall revert to the church, and no one shall vote for a deceased pew-holder except his legal representative, but the trustees may transfer such pew to the decedent's widow or children on payment of all assessments due. "All pews held by business firms or by two or more persons jointly," shall on the death of one joint owner rest absolutely in the other who shall be liable for all assessments thereon. Lastly the title to pews are transferable by the owners on the books of the trustees, if clear of assessments, and not otherwise. These provisions form a more complete body of ecclesiastical law on this subject than can be found as respects any other denomination in Georgia. The same act empowers the trustees to convey and dispose of any real estate theretofore or thereafter conveyed them unless expressly prohibited by the terms of the grant.

By an act of February 21, 1850, the trustees are empowered to take and hold land for a parsonage and a missionary church, to be under the care of the parent church.

By act of December 21, 1866, the charter was again amended so as to provide for the election of nine trustees instead of seven, three for one year, three for two, and three for three years, so as to elect but three each year to hold

three years; those who had filled one term not to be re-eligible till the expiration of one year. In 1870 it was enacted that the trustees should elect three persons to be pew-owners and residents of Richmond county, for terms of one, two, and three years respectively as an endowment committee, to receive and hold all church property with power to invest same, holding proceeds to use of the trustees, and to make annual reports, but in 1876 this act was repealed and the management of the church property left with the trustees as before.

By an act passed in 1825, Timothy Edwards, M. M. Payne, Joseph Hutchinson, Robert Thomas, and James Primrose were incorporated as "the trustees of the Harrisburgh Presbyterian Church in the village of Harrisburgh and county of Richmond." The act provides that the succeeding trustees were to be elected annually on the first Saturday in March "by the worshipers in the church," and then proceeded to define that language by saying "those shall be considered worshipers who attend divine service there twelve Sabbaths during the year."

The Baptist denomination is numerically the most powerful in Georgia, and in and about Augusta its history extends back over one hundred years. As far back as 1789 an act of the Legislature states that "a religious society has for many years past been established on the Kioka, in the county of Richmond, called and known by the name of the Anabaptist Church, on the Kioka," and incorporates Abraham Marshall, William Willingham, Edmund Cartledge, John Landers, James Simms, Joseph Ray, and Lewis Gardner as "the trustees of the Anabaptist Church on the Kioka." This church was originally established in 1773 by Rev. Daniel Marshall.

The name Anabaptist was subsequently changed to Baptist and for many years after 1789, this old-time congregation met and worshiped in a church building on the side of the road leading from Augusta to Appling, the county seat of Columbia county, after that was cut off from Richmond county. The building has long since disappeared but a venerable tree on the left hand side of the road within some hundred yards of the court-house at Appling is still pointed out as having shaded the old church. Rev. Daniel Marshall, said by tradition to have been the first Baptist preacher in Georgia, for many years ministered in the Kioka Church, and just across the road from the site of the edifice his grave is still to be seen, a square mound of rock being his monument. The act incorporating the church provided that the trustees should hold office for three years, and that on the third Saturday in November in every third year "the supporters of the Gospel in said church should convene at the meeting-house, and there between the hours of ten and four should elect from among such supporters seven discreet persons to be trustees." An act of 1801 provided that the trustees should fill any vacancy in their ranks, and that the congregation might fix the time of the general election at their pleasure.

A few years after another church was established by act of December 5, 1806 at Red's Creek, and Loveless Savage, James Simms, Archibald Odom, David Walker, and John Collier were granted a charter as "The Incorporated Red's Creek Baptist Church."

By act of December 2, 1809, the trustees of Richmond county academy were directed "to lay off a lot of ground between Telfair and Walker streets, not exceeding half a square, for the purpose of building a Baptist Church thereon, and to convey the same to the general committee of Georgia Baptists or to such persons in trust, for the purpose aforesaid, as they have or may nominate, to receive titles as aforesaid." It does not appear that the scheme of this act was carried into effect, but in 1817, and evidently through the untiring exertions of Rev. Abraham Marshall, an act was passed on December 19, "to incorporate the Baptist Church in the city of Augusta and county of Richmond, and to authorize the trustees of the Richmond Academy to convey a lot of land in the city of Augusta to said Baptist Society." By this act Abraham Marshall, John McKinne, James H. Randolph, Woodson Ligon, and Jesse D. Green were incorporated as "The Trustees of the Baptist Society in the city of Augusta and county of Richmond," and empowered to have and to hold real and personal property for the purpose of erecting a house of worship for said society in the city of Augusta and maintaining a minister of the Gospel for the same. To provide a site, the trustees of the academy were directed to lay off and convey to said trustees a one-acre lot in the city, where they might deem proper. In 1818 all the church societies in Augusta were authorized to sell such parts of their lots as they might deem proper, the proceeds to be devoted to church purposes.

In 1819 the First Baptist Church was organized in Augusta and located on the corner of Greene and Jackson streets, where it still stands. The building cost $22,000, and the funds for its erection were mainly secured by the efforts of Rev. Dr. William T. Brantly, the first pastor, who at the time of the organization was rector of the Richmond Academy. The congregation at that time did not number over twenty all told, and but few of those were able to contribute anything towards the erection of the building, but their brother Baptists throughout the State, with their proverbial zeal and liberality, came to the rescue. By 1826 the church had increased and prospered to an extent which allowed it to give a ministerial stipend of $1,200. Rev. James Shand became Dr. Brantly's successor in the pastorate and served three years, when he resigned to accept the chair of ancient languages in the University of Georgia. Rev. Charles D. Mallary then became pastor and remained five years, the church in his time numbering one hundred and twenty-five members. Rev. W. J. Hard, at one time professor in Mercer University and for many years a well-known teacher in Augusta, was the next pastor, and was succeeded by Rev. W. T. Brantly, jr., son of the founder of the church who min-

istered for seven years, resigning to become professor of *belle-lettres* in the State University. The other pastors have been Rev. N. G. Foster, Rev. Mr. Gillette, Rev. Dr. J. G. Binney, who was twice in charge and subsequently became president of the Missionary College at Rangoon, Burmah; Rev. Dr. Ryerson succeeded, and then came Rev. A. J. Huntington, D.D., who removed to become professor in Columbia College, District of Columbia. Rev. J. H. Cuthbert, D.D., who subsequently became pastor of the first Baptist Church in Washington, D. C., and Rev. Drs. James Dixon and M. B. Wharton succeeded. Then came Rev. William Warren Landrum, who was succeeded by the present able and eloquent pastor Dr. Lansing Burrows. The church now numbers over four hundred members. The building has been remodeled and is now an exceedingly handsome edifice and has a magnificent organ. A new lecture room, the finest in the city, has been built on Jackson street just in rear of the church at a cost of $10,000.

Just before the outbreak of the war the denomination had increased in Augusta to an extent which called for another church, and by act of December 8, 1860, Henry J. Sibley, Samuel A. Verdery, Daniel B. Plumb, James Hill, David R. Wright, and Richard Timmerman were incorporated as the Second Baptist Church, Kollock street, Augusta, Georgia, and made trustees for life of the church. Since then three other Baptist Churches have been erected, the First Ward or Calvary Baptist Church, on Lower Greene street, Curtis Baptist Church on Upper Broad, and the Berean Church in Harrisburgh.

In 1830 an act "to incorporate the Baptist Convention of the State of Georgia" was passed which provided that Jesse Mercer, moderator; Abiel Sherwood, clerk; J. P. Marshall, assistant clerk; James Armstrong, B. M. Sanders, Jonathan Danis, and Thomas Stocks, the then executive committee of the convention, and their successors in office, should be a body corporate as "the Executive Committee of the Baptist Convention of the State of Georgia," with power to hold all property of the convention and receive donations and bequests made thereto. In 1837 this act was so amended as to withdraw any taxing power from the committee or convention, if such it had under the act of 1830, legislation which seems rather anomalous and obscure. The same act authorized the committee to establish the now famous Mercer University.

The Methodist Church found difficulty in establishing itself in other portions of Georgia, but its early ministers met encouragement and support in and around Augusta. In 1786 in the Virginia Conference mention was made of Georgia as a missionary ground and several zealous clergymen volunteered to plant the faith there. Two of them, Rev. Thomas Humphries and John Major were accepted and soon formed a circuit about Augusta, extending up the Savannah as far as Little River and in the interior to Washington, in Wilkes county. Several churches were formed in a short time with an aggregate

membership of four hundred. Mr. Major was particularly active, and from his plaintive style of preaching received the name of "the Weeping Prophet." It is a notable fact that in the early stages of Methodism it encountered much opposition in the towns and it was not until 1799, or some thirteen years after the advent of the first clergymen of this denomination in Georgia that a Methodist Church was formed in Augusta under the leadership of Stith Mead. In the same year Rev. John Garvin, of Augusta, entered the ministry and sought to establish a Methodist Church in Savannah, the third attempt in this direction. In 1790 Rev. Hope Hull visited that place but met opposition and was even threatened with mob violence. In 1796 Rev. Jonathan Jackson and Josiah Randle attempted to make converts but failed. Then Mr. Garvin essayed the task in 1800 and made some slight progress, but the difficulty of holding together his small society was so great that he also abandoned the attempt and it was not until 1807 that Methodism obtained a footing in Savannah. On his return from that stubborn field Rev. Mr. Garvin became pastor of the Augusta congregation and in 1801 the meeting house was built on the site of the present St. John's Church. Owing to the rule of the Methodist discipline which changes pastors at frequent intervals, it is impracticable to give a full list of all the clergymen who in the lapse of some ninety years have officiated in St. John's. Suffice it to say that many of the most illustrious names in the history of Georgia Methodism have at one time or another had this venerable church in charge. Among them may be mentioned in addition to the pioneers Rev. John Garvin and Hope Hull, Lovick Pierce, Dunwoody, Bishop Andrew, and Bishop Pierce. In 1844 when the latter, then Rev. George F. Pierce, was in charge the present brick building was erected. From St. John's as a center went out many other congregations so that the old church is affectionately known in the denomination as the mother of churches.

In 1885 St. James Church was built to accommodate the increased membership and has had since its organization the following pastors; Rev. William M. Crumley, E. W. Speer, Thomas Jordon, W. F. Cook, A. T. Mann, Lovick Pierce, H. J. Adams, George R. Kramer, G. H. Patillo, H. H. Parks, J. E. Evans, A. J. Jarrell, S P. Richardson, C. A. Evans, W. T. Gibson, and J. H. Bigham. The membership is about six hundred.

In 1859 Asbury Church was established and since then four others have been organized, the Broad Street Church, Jones' Chapel, St. Luke's Church, and Wesleyan Chapel.

Up to 1849 St. John's had a large colored membership which in that year was formed into Trinity Church, and since then four other colored Methodist congregations have been organized, namely Bethel Church, St. Mark's Church, Mount Zion Church, and Holsey Chapel.

Among the first settlers of Augusta we find Kennedy O'Bryan, William Callahan, Faley and McQuen, Lachlan McBean, and John Campbell, whose

Scotch and Irish names betray their Erse and Celtic origin, and inferentially their Catholic faith. In 1770 Daniel M'Murphey appears as a resident of Augusta and one of the board of town commissioners. In 1791 James Toole is a commissioner, but it is not until about the close of the eighteenth century that any considerable number of Catholics were found in the city. At that time the rising of '98 in Ireland and the contemporaneous insurrection of the blacks, in San Domingo drove many Irish and French refugees, particularly the latter, to Augusta and Savannah. Tradition reports that as early as 1800 they established a place of worship, but it was not until 1811 that a regular church was erected. In that year James Toole, Bernard Bignon, James Bertrand Lafitte, Francis Bouyer, and John Cormack were incorporated as "the trustees of the Roman Catholic Society in the city of Augusta and county of Richmond," and the trustees of Richmond Academy were directed to convey to them that lot of land in Augusta, bounded on the north by Telfair street, on the east by McIntosh street, on the south by Walker street, and on the west by Jackson street, for church purposes. The trustees of the church were empowered to fill vacancies happening in their board, and no non-resident of the county was eligible to a seat. By an act of 1820 the Roman Catholic Society was to elect trustees annually, the board to fill intervening vacancies.

On the passage of the act of 1811 a small church in the form of a cross was erected in the center of the lot, and for half a century was the only Catholic Church in the city. In this building such distinguished prelates as Bishop England and Bishop Barry preached, and in the next quarter of a century the congregation largely increased. The building of the Georgia Railroad begun about 1835 brought a large number of Irish laborers to the city and vicinity, most of whom settled in Augusta after the work of construction was complete. The presence of the French colony attracted others of that nationality, and their slaves, a number of whom followed their masters from San Domingo and professed the Catholic faith, helped to swell the congregation. For a number of years before the present church was built the old building was inadequate to accommodate all the worshipers, and at mass many could be seen kneeling outside the door and following the services from afar off as in European countries.

Up to the year 1850 Georgia was included in the South Carolina diocese and presided over by the Bishop of Charleston, but in that year Right Reverend Francis Xavier Gartland, of Philadelphia, was appointed bishop of the new diocese of Savannah, which comprised the State of Georgia. In 1853, under the administration of this prelate, the Sisters of the Order of Our Lady of Mercy established a convent and academy known as St. Mary's Academy, on the northeast corner of the church lot, and by act of February 7, 1854, were incorporated under the above name "for the advancement of the cause of education and charity, and the performance of acts of mercy and benevolence."

The original incorporators were Elizabeth Mahoney, Catharine McRena, and Rose Ann Reilly. By order of the Superior Court of Richmond county of May 9, 1881, the sisters were given the right to confer diplomas, honors, degrees, and other like marks of scholastic distinction in their academy.

Scarcely had the academy been instituted and Bishop Gartland began his administration before Augusta was devastated with the yellow fever epidemic of 1854. The old Catholic parsonage, which was situate in the rear of the old church was converted into a hospital, and here among the sick and dying Bishop Gartland, and Fathers Barry and Duggan, pastor and assistant pastor of the church, aided by the sisters, labored until the pestilence ceased. To his zeal the good bishop fell a victim, dying of the plague. Many were the orphans left by the dread malady. The sisters cared for the little girls and Father Barry adopted the boys, some of whom still live as honored citizens to bless and revere his name.

For three years the see was vacant, but in 1857 Father Barry was appointed bishop. He died in 1859, while on a visit to Rome, whence his remains were brought back and interred under the church. On Bishop Barry's demise, Dr. Verot, a professor at St. Mary's College, Baltimore, Md., and a scholar of profound erudition, was appointed bishop, and continued such until 1870, when he was translated to the new diocese of St. Augustine, which covers the State of Florida. During Bishop Verot's administration the present St. Patrick's Church was built. The old church had grown entirely too small for the congregation, and early in his incumbency he resolved upon a new and more capacious edifice. The congregation subscribed liberally, and many of the poorer members contributed so many days labor on the building. In 1862 it was completed, and consecrated by Bishop Verot, Bishop Quinlan of Mobile delivering the sermon. Upon the translation of Bishop Verot to the new see of St. Augustine, the Right Reverend Ignatius Persico, bishop of Agra, in the East Indies, was made bishop of Savannah. His labors in the torrid climate of Hindostan had injuriously affected his health, and it was expected that a change to a more genial air would restore him. This expectation was not realized, and in 1872 his resignation was accepted and he returned to his native Italy, where he was made bishop of Naples, formerly the see of St. Thomas, the Angelic Doctor. Since then he has been made archbishop of Damietta, and it is thought will shortly be named cardinal.

In 1873 Father Gross, a Redemptorist, was made bishop, and continued such until 1885, when created archbishop of Oregon.

Bishop Gross was succeeded on March 26, 1886, by Right Reverend Thomas A. Becker, the first bishop of Wilmington, Del., which see he had filled since 1868. Bishop Becker is one of the most learned men in the church, speaking several modern languages and deeply versed in the ancient tongues, theology, and philosophy. He is moreover a man of remarkable executive abil-

ity, and under his administration the Catholic Church has prospered wonderfully throughout the State. Particular exertions are made in behalf of the colored population, and there are priests, sisters, churches, schools, and an asylum specially for them.

Of Bishop Barry's exertions while pastor of St. Patrick's, we have already spoken. Father Duggan, the next pastor, was a man of saintly life. With missionary zeal he labored incessantly for others, and himself led the life of an anchorite. By the most extreme and unvarying economy and self-denial he gathered up a fund of some eight or ten thousand dollars, which he left to build a school for youths, and St. Patrick's Commercial Institute, a very fine academy conducted by the Christian Brothers on the site of the old church is the realization of the good father's life long exertions. Father Duggan was succeeded by Father Kirby, whose monument is the new church. To build this was his hope and aspiration. The next pastor was Father Hamilton, a clergyman of imposing presence and most persuasive eloquence, who after some years faithful service removed to the diocese of Mobile and there died, lamented by all. Father O'Hara, the next pastor, died shortly after Father Hamilton's removal, and was succeeded by Father Prendergast, a clergyman of very great erudition. His knowledge of the history, traditions, and councils of the church was something wonderful, and many were the converts he made. He still labors with unabated zeal in other parts of the diocese. Fathers Quinlan and McNally followed, and the latter was in turn succeeded by the present pastor, Rev. James M. O'Brien, for many years the head of the famous boy's school at Washington, Ga., which has fitted so many homeless lads for lives of usefulness and honor.

In 1873 additional church facilities were needed by the Catholics of Augusta, and in October, 1874, the Jesuit fathers completed the Church of the Sacred Heart, in the upper part of the city. In 1876 a second convent and academy was established by the Sisters of the Order of Our Lady of Mercy under the name of the Sacred Heart Convent and Academy, near the Sacred Heart Church.

At a little later period another order known as the Franciscan Sisters established a school near Augusta for little colored girls and are doing an excellent work of charity. In addition to their care of the orphans under their charge, and the management of their academies, the sisters attend the City Hospital as nurses to the sick and injured.

The Christian Church, or Church of the Disciples of Christ, was organized in Augusta in 1835. At that time there were few members and the services were conducted in private parlors or rented rooms, but in 1842 Mrs. Emily H. Tubman, a wealthy and devoted member of the congregation, erected a church on Reynolds street now used as a young ladies' seminary as the Tubman High School. The first pastor was Dr. Hook whose faithful service for several years

gave the congregation an impetus which carried it along steadily for a quarter of a century or more of progress until in 1873 the original building had become too small for proper accommodation. Mrs. Tubman again came forward and erected at her own expense a new and exceedingly handsome church, on the corner of Greene and McIntosh streets, which was finished and occupied by the congregation on January, 1876. The second Christian church in the upper part of the city is of recent establishment.

The Lutheran Church is one of the oldest in Georgia. As early as 1733 a congregation of some one hundred sailed from Germany for Georgia under the charge of two pastors, Rev. Messrs. Bolzuis and Gronau, and though encountering many vicissitudes which for years caused the faith to remain almost stationary, it never died out and of late years has greatly increased. In 1859 a church was erected on Walker street, in which services are still held, and in 1887 a second church was erected on Greene street opposite the City Hall. The Walker street church is styled the German Evangelic Lutheran Church, and services are conducted in the German tongue. In the second church the services are in English, and the church owes its origin to the desire of the younger members to have their religious exercises in a language more familiar to them and better calculated to reach the general public than the tongue of the fatherland. The same difference of opinion on the subject of the language in which services should be conducted was one of the decadence of the Lutheran faith in the earlier days of its settlement in Georgia, but happily a revival of the discussion in later days in Augusta has had the effect of really increasing the denomination, its membership being quite strong enough to support both kinds of congregation.

The faith of Israel was early planted in Georgia. The second ship which sailed from London for the new province in 1733 brought forty Hebrews, men, women, and children who settled in Savannah, and very shortly after their arrival rented a house in that city where the exercises of their religion were held until about 1741, when the congregation was temporarily broken up by the removal of many of its members to Charleston. In 1774 it was revived again largely owing to the efforts of Mr. Mordecai Sheftall, son of Mr. Benjamin Sheftall, one of the original settlers, but was again dissolved by the Revolution. Mr. Mordecai Sheftall took a prominent part in this struggle and was commissary-general of the Georgia Brigade in the Continental Army, Sheftall Sheftall, another member of the family, being deputy commissary.

After the Revolution the congregation, which we should state was called Mickva Israel, was re-established in 1786, and for a number of years service was regularly performed. Then another suspension occurred and lasted till 1820 when a synagogue was constructed which was used till accidentally burned in 1829. Dr. Moses Sheftall, the president of the congregation, was very active in rebuilding the edifice. Subscriptions were liberally made not

only by the congregation but many Christians, and a new synagogue was soon built.

In 1854 Lewis Levy, Isaac Mayer, and Henry Myers were incorporated as "trustees of the permanent fund of the Children of Israel, a Jewish congregation in the city of Augusta." The fund at that time consisted chiefly of ten shares of the capital stock of the Franklin Building and Loan Association, and the trustees were directed to manage and increase the same for the improvement of the cemetery of the congregation and ultimately for the erection of a synagogue. At this time and for many years thereafter the congregation, which is known as *B'nai Israel*, or Children of Israel, occupied a building on the corner of Greene and Jackson streets, known afterwards as Douglass Hall, and now the site of the new Opera House.

In 1872 a handsome synagogue was erected on Telfair street, in rear of the City Hall. The design is that of a Grecian temple and the interior presents a singularly bright and cheerful appearance. Above the entrance is in large gold characters the Hebrew inscription *B'nai Israel.* This synagogue cost $12,000. The present officers are Joseph Myers, president; S. Lesser, vice-president; and A. Asher, I. C. Levy, and H. Brooks, trustees. One of the original trustees, Mr. Henry Myers, still survives, full of years and rich in the public respect and esteem. The confidence of his fellow-citizens has made him president of the Richmond County Reformatory Institute, a benevolent institution intended for the reformation of juvenile offenders.

Many years ago, in 1826, Alexander Cunningham, Gilbert Longstreet, Thomas S. Metcalf, William Sims, and Philip Crane were incorporated as the Unitarian Society in Augusta, Georgia, but it has been long since the organization has had an active existence.

The colored churches of Augusta are quite numerous and are of the Baptist, Methodist, and Presbyterian denominations. The colored Baptist churches are eleven in number, namely: Antioch, Central African, Friendship, Hale street, Harmony, Hosannah, Macedonia, Mount Olive, Springfield, Thankful, and Union Church. The colored Methodist churches are five in number, namely: Bethel, St. Mark's, Mount Zion, and Trinity Church, and Holsey chapel. There is one colored Presbyterian congregation called Christ Church.

Of these churches Springfield and Thankful have a very respectable antiquity, the former particularly. As early as 1805 the village of Springfield was spoken of as being a cluster of houses and a house of worship for the colored people of that day. The location of this village, now long absorbed into the corporate limits of Augusta, was at the intersection of Broad and Marbury streets, and within a few hundred feet of this point the present Springfield Church is situate. At the other extremity of the city is Thankful Church, much the junior of Springfield, but still of good age, having been built some fifty years ago. These churches were originally designed for the use of the slave popu-

lation, and on the emancipation of their congregations have remained in their hands and been the fruitful centers of new congregations and new churches. Connected with them are some quaint, time-honored observances. At stated intervals there is a baptizing. There starts from the church towards the river a procession with the pastor, in a long white robe and leaning upon a long staff, at its head; at his right hand and left are assistants similarly clad and equipped; behind these comes the choir; then the persons to be baptized, the men in long white gowns and the women in white dresses, each applicant supported on either hand by friends of his or her sex. Then came the congregation two and two. The pastor "lines out" a hymn and the choir and congregation respond, and thus the procession wends its way to the river where the immersion takes place.

Another curious custom is in connection with the burial of the dead. Connected with the older churches are benevolent societies, each with a distinctive uniform, which turn out *en masse* to the funeral of a deceased member. The feature of the uniform of the females is a cape, in some societies black with purple bands, in others white with black bands. Those with the black capes wear black dresses and black straw hats, those with white capes, white dresses and plain straw hats. These long processions moving along in perfect order and silence not infrequently present a weird appearance. The custom is of unknown antiquity.

The Young Men's Christian Association of Augusta has been in operation for a number of years and is now on a solid and prosperous basis, with attractive rooms and a large and growing membership. Attached to it is a fine gymnasium, comfortably furnished reading-room and parlor, and a spacious lecture-room.

The Ministerial Association of Augusta is of recent date, but a body of great dignity and moral weight. It is composed of divines of nearly all denominations and is intended to make common cause in the interests of morality and religion.

In closing this sketch of the churches and religious institutions of Augusta it is pleasant to refer to the spirit of charity which prevails among all. Bigotry and polemic asperity are all but unknown, and as a consequence the religious sentiment of Augusta is as mild and tolerant as it is decided, zealous, and sincere.

CHAPTER XXX.

MANUFACTURES.

Eli Whitney and his Cotton Gin—Cotton Forthwith Becomes a Staple—The Inventor's Troubles—Law Suits, Infringements, and Hostile Legislation—Protest Against Extension of the Patent—Whitney's Later Inventions—His Death in 1825—Rapid Increase in Cotton Exports—Price Current of 1802—The Embargo Blunder—British Cotton—Heavy Customs Duties—Georgia Long Staple—Total Cotton Export in 1810—A Cotton Factory Chartered in 1798—Europe and the North Manufacture, While the South only Produces—Deterrent Causes—Another Factory Chartered in 1810—The Pioneer Southern Mill—Judge Shly's Factory—"The Live Spindle"—Bagging and Yarn the First Products—"The Dead Spindle"—Osnaburgs—The Mill Removed to Richmond County and Named Bellville—"Georgia Plains"—Checks and Denims Made—Bellville Factory Twice Burned—Impetus Given Southern Manufactures—Richmond Factory—Profuse and Omnipresent Water Power of Richmond County—Early Factories, Mills and Gins—McBean Factory—The Georgia Silk Manufacturing Company—The Augusta Sugar Manufacturing Company—The Savannah River Utilized—Augusta Canal Projected—Early History of this Great Work—The Original Ordinance—The Original Route Named—The Ratifying Act of the Legislature—How the Money was Raised—The Engineer's Report—Anti-Canal Litigation—The Canal Wins—The Enlargement in 1872-5—Dimensions and Cost—Relative Cotton Manufacturing Advantages of North and South—Expert Testimony—The Augusta Manufacturing Company—The McBean Factory Charter—The Augusta Factory—Its Phenomenal Success—The Enterprise Factory—The Sibley Manufacturing Company—The John P. King Manufacturing Company The Riverside Mills—The Warwick Mills—The Algernon Mills—The Globe Mills—Work of the Augusta Factory from 1873 to 1878—The Adjacent South Carolina Mills at Graniteville and Vancluse—The Southern and Western Manufacturers Association—The Lock Out of 1886—Other Manufacturing Interests—Georgia Chemical Works—The Guano Interest—The Augusta Ice Company of 1832—The Jackson Street Ice Company of 1837—The Ice Factory of 1864—The Augusta Ice Company—The Polar Ice Company—The Augusta Machine Works—Pendleton Machine Works—Augusta Flouring Mills—Excelsior Flouring Mills—The Lumber Interest—Brick Yards—Augusta as a Cotton Town—The Best Inland Center in the United States—Cotton Futures.

TO speak of the manufactures of Augusta is to speak of cotton, and to speak of cotton is to recall Eli Whitney and his cotton-gin. Elsewhere in this work we have made some mention of this great inventor and benefactor of mankind, but may here speak more fully of his biography, particularly as we shall find that the idea of cotton manufacturing in the South was coeval with the invention of the cotton gin.

In 1793 Eli Whitney, a native of Massachusetts, and then resident in Georgia, invented the cotton-gin, *i. e.*, the saw-gin, the roller-gin having been known in Hindostan under the name of "Churka," from a remote antiquity. The principle of the "Churka" is two rollers revolving in opposite directions, one drawing and the other repelling the seed cotton, whereby the lint or fibre passes

one way and the seed the other. This device, while answering fairly enough for the ginning of long staple, which parts with no great difficulty from the seed, has two drawbacks; one that is but a tedious process at best, and the other that the principle does not work with the ordinary upland variety where the fibre adheres closely to the seed. Celerity and power were the great desiderata to make cotton of any great commercial value, and these Whitney supplies with his saw-gin, the principle of which may be roughly stated as a set of teeth working between bars, whereby the lint is drawn through to one side while the seeds drop upon the other.

Mr. Whitney constructed his model and made his first experiments therewith in Richmond county on the waters of Rocky Creek, about two miles south of Augusta. The line of the Central Railroad now crosses the stream within view of the spot, and the dam built by the inventor to obtain a water supply by which to run the machine is still in existence and use, a modern improved gin now being operated where the original gin stood.

Up to Whitney's invention, cotton was more a curious than valuable product, but as soon as the new discovery became known the staple rose almost at a bound into prominence. As early as 1796 the General Assembly of Georgia passed "an act for the inspection of cotton," a sure proof that the article even at that early day was extensively grown, the existence of inspection laws, whatever their utility in themselves, being evidence of a general production or use of the article inspected. By act of 1797 the inspection act of 1796 was repealed as having "been found in its operation not competent to the objects proposed, by no means beneficial to the interest of the State, and an unnecessary burden on the planters of that article." The next year we find a still further evidence of the rise of the staple into industrial prominence in the shape of an act of 1798 to encourage cotton manufactures, as follows:

"Whereas, the manufactory of cotton will be attended with public utility, and William McClure and James Thompson have proposed to erect machines for that purpose.

"Be it therefore enacted, That it shall and may be lawful for the commissioners hereinafter named to establish a lottery within six months from and after the passing of this act, to raise the sum of two thousand dollars, under such schemes and regulations as may by them be deemed necessary, the said money to be applied to the use and benefit of the said William McClure and James Thompson for the purpose of erecting and carrying on the machinery aforesaid.

"And be it further enacted, That Benajah Smith, Joel Abbot, and John Matthews be, and they are hereby appointed commissioners to carry said lottery into effect."

Succeeding this, we find further evidence to the same effect.

"In his message to the Legislature of 1799, Governor James Jackson, in

speaking on the then vexed question of Georgia's southern boundary, says that the lands in that part of the State "answer very well for cotton, an article that is rapidly advancing to the head of American exports, and which (Georgia cotton) is taking the lead and preference of that staple in most foreign markets, a staple which deserves the fostering hand of the Union, and merits its attention and encouragement."

In another part of the same message he says: "Having, in a former part of my message touched on the article of cotton, I beg permission to call your attention to the complaint of foreign merchants as to the deception in the package of it. To preserve the character and reputation of that highly important staple is worthy of the most minute attention of the Legislature of Georgia, that State which at first exclusively brought it into notice as an export of the United States, and which from its almost universal encouragement of its culture since, bids fair to yield the United States a larger source of revenue than any other State in the Union. An inspection law was passed in 1796, but repealed in 1797; whether it may be proper to revive it, I leave to your superior judgment. But it is known that almost all of the valuable articles of export from the different States are found to stand in need of inspections, and cotton is certainly as valuable as any of them. Should this base practice continue unchecked by some guards, the mind of the merchant will be filled with distrust; the reputation of our cotton will diminish, and the loss will ultimately return on ourselves by a failure of price. But this is not all; such infamous practices tend to stamp on our character as a people a total want of honor, justice, and morality, which I feel convinced you will deem it your duty to prevent."

About this time, however, we regret to say, we find evidence of a disposition to deny Mr. Whitney the just reward of his genius. Infringements on and violations of, his patent, litigation, and hostile State action combined to harass and annoy him, and while he fought his battle with great spirit in the courts for a number of years, and won several important causes, it is doubtful if, upon the whole, he reaped much emolument from his invention.

December 15, 1800, the following advertisement, indicative of one of the troubles met by the inventor, appears in the Augusta *Herald:*

"Notice to all concerned.—All persons wishing to use the Patent Gins for cleansing cotton are hereby informed that they can be supplied with licenses therefor by applying to the subscriber on or at any time before the 20th of January next. Those who neglect to furnish themselves by that time, will have none to blame but themselves should they afterwards be attended to in a way however necessary, by no means pleasing to

"J. GRINAGE, agent for Miller & Whitney.

"Columbia county, December 4, 1800."

In his message to the Legislature of the same year Governor Jackson says: "I request your attention to the patent gin monoply, under the laws of the United States, entitled 'an act to extend the privileges of obtaining patents for useful discoveries and inventions to certain persons therein mentioned, and to enlarge and define the penalties for violating the right of patentees.' The operation of this law is a prevention and cramping of genius as respects cotton machines, and a manifest injury to the community, and in many respect a cruel extortion on the gin holders. The two important States of Georgia and South Carolina, where this article appears to be becoming the principal staple, are made tributary to two persons who have obtained the patent, and who demand, as I am informed, two hundred dollars for the mere liberty of using a ginning machine, in the creation of which the patentees do not expend one farthing, and which sum, as they now think their right secured, it is in their power in future licenses to raise to treble that amount; from the information given me by a respectable citizen of this town (Louisville) when Miller and Whitney, the patentees, first distributed the machines of their construction, they reserved the right of property in it, as also two-thirds of the net proceeds arising from the gin, the expenses of working to be joint between the patentee and the ginner. Finding, however, a defect in the law under which their patent was obtained, they determined to sell the machine, together with the right vested in them for five hundred dollars, and for a license to authorize a person to build and work one at his own expense, four hundred; but finding, as I suppose, that the defect of the law was generally understood, and that they could get no redress in the courts, they lowered the demand to the present rate of two hundred dollars. That they may raise it to the former rates is certain, and that they will do it unless public interference is had, there can be little doubt. I have been informed from other sources that gins have been erected by other persons who have not taken Miller & Whitney's machines for a model, but which in some small degree resembles it, and in improvement far surpass it, for it has been asserted that Miller & Whitney's gin did not on trial answer the intended purpose. The right of those improvements are, however, it appears, by the present act, merged in the right of the patentees, who it is supposed, on the lowest calculation, will make by it in the two States over two hundred thousand dollars.

"Monopolies are odious in all countries, but more particularly so in a government like ours. The great law meteor, Coke, declared them contrary to the common and fundamental law of England. Their tendency certainly is to raise the price of the article from the exclusive privilege; to render the machine or article worse from the prevention of competition and improvement, and to impoverish poor artificers and planters who are forbidden from making, vending, or using it without license from the patentees, or in case of so doing are made liable to penalties in a court of law. The Federal Circuit Court docket, it is said, is filled with those actions.

"I do not doubt the power of Congress to grant those exclusive privileges, for the Constitution has vested them with it; but in all cases where they become injurious to the community they ought to be suppressed, or the patentees be paid a moderate compensation for the discovery from the government granting the patent. The celebrated Dr. Adam Smith observes that monopolies are supported by cruel and oppressive laws. Such is the operation at present of the law on this subject; its weight lay on the poor industrious mechanic and planter. Congress, however, did not intend it so, for when the first law on this head was passed in February, 1793, a few individuals only cultivated cotton, and it was not dreamed of as about to become the great staple of the two Southern States, a staple, too, which, if properly encouraged, must take the decided lead of any other, bread kind excepted, in the United States. The steps proper to be taken to remedy this public grievance you will judge of, but I should suppose that our sister State of South Carolina, being so much interested, would cheerfully join Georgia in any proper application to Congress on the subject. I am likewise of the opinion that the States of North Carolina and Tennessee must be so far interested as to support such application. If you think with me, I recommend communications with all of them."

The General Assembly took no action at this time on the foregoing recommendation, but the agitation was not abandoned, and in 1807, when the patent was about expiring, the following joint resolution was adopted:

"Whereas, the period for which Miller & Whitney obtained an exclusive privilege for making and vending a gin for separating the seed from the cotton has now expired; and, whereas, it is understood that themselves, or others in their behalf, are about to apply to Congress for a renewal of such exclusive privilege, and being convinced that such renewal would be highly injurious to the interest of the people of Georgia, and retard many improvements which might be made in the important business of ginning and cleaning of cotton.

Now, be it resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, and by the authority of the same: That our senators be instructed and our representatives be directed to use every means in their power to oppose the renewel of such exclusive privilege."

In South Carolina, also, trouble arose on the same subject. The original agreement was that the State was to pay Whitney $50,000 as follows: Cash, $20,000, and the residue in three equal payments — on September 1, 1802, September 1, 1803, and October 1, 1804. By act of 1803 the comptroller was directed to withhold all future payments "until the event of existing disputes between the State and the said Miller & Whitney is concluded." Litigation ensued, which resulted in favor of the patentees, who thereupon received the stipulated payments. In Tennessee it is stated that $35,000 agreed on was not paid; but North Carolina, which had contracted for a five years' royalty, punctually discharged the same. The Augusta *Herald* man-

fully defended Mr. Whitney, and in its issue of December 30, 1801, thus speaks of his invention and the treatment of its author.

"Since the formation of our government no invention has been more interesting and important to the Southern States than that of patent gins; and, we regret to add, that no invention has been more ungratefully rewarded."

We may here add that at a later period of his life Mr. Whitney made some improvements in fire-arms, which brought him in a handsome revenue from the United States government in his declining years. He was born at Westborough, Mass., on December 8, 1765, and died at New Haven, Conn., on January 8, 1825. He was educated at Yale, removed to Georgia with a view of becoming a lawyer, and is said to have had his attention directed to the subject of his great invention by the widow of General Greene, of Revolutionary fame, at whose house he resided, and who evinced a great interest in the young student's success in life.

In the files of the *Chronicle* and other Augusta papers, much interesting information is to be had as to the state of the cotton market since the invention of the saw-gin.

Tho total export of the United States in 1791 was but 379 bales, while fo the year ending October 1, 1800, it was 6,889 from Georgia alone. For the same period, the export from Charleston was 6,425,863 pounds, about 12,851 bales.

In 1802 a Liverpool price current of December 29, gives the following quotations:

"Cotton—Georgia Sea Island, 26 to 35d; upland, 14½ to 15; New Orleans, 11 to 15½; fine Sea Island has become very scarce and is in brisk demand; good, bright upland becomes scarce and is inquired for; New Orleans very heavy."

March, 1803, a Louisana letter says that cotton, usually 25 to 30 cents per pound there, is now but 15.

July, 1806, Augusta quotation is 15 to 15¾. Liverpool price current of March, 1807, says: Upland Georgias 16¾ to 18½d: New Orleans, 18 to 20; Sea Island 18 to 2s. 4d; very fine Georgias, 2s. 5d. and 2s. 6d.

July 23, 1808, at Augusta, 12 to 13 cents; October 13, same year, it is said that England has only taken American cotton within the last ten or fifteen years, which would practically date the American cotton trade from the invention of the cotton gin. It is also said that in 1808 Bengal and Bombay sent 134,000 bales to Great Britain; also, that prior to the rise of the American trade, England received her supply from the West Indies, and that since 1793 she has added not only America, but Trinidad, Surinam and Demerara to her sources of supply.

It will be remembered that by an act of Congress of December 22, 1807, commonly called the Embargo, commercial intercourse between the United

States and foreign countries was interdicted, which interdiction was not raised until March, 1809. The suicidal effect of this policy on American interests was soon made manifest, and its results are in some sort traceable to the present day—so terribly destructive is legislative interference with the natural course of trade. England was even at that time putting forth strenuous efforts to stimulate the production of cotton in her colonies and dependencies, and with what result is shown by the fact that whereas the import into England from all other than American ports in 1806 was 49,996 bales, in 1807 it rose to 72,443, an increase of nearly fifty per cent. in a single season. Just at this inopportune time came the embargo. England was thus cut off entirely from her American sources of supply, and at once redoubled her efforts in other cotton producing countries. The result is almost incredible. Up to 1808 Bengal, Bombay, the West Indies, Trinidad and Surinam were her non-American sources of supply, but in 1809 we find a Liverpool price current of August 25, which mentions that she has added some fifteen or sixteen more. The embargo was then raised, but the damage was done, as the non-American sources of supply show:

LIVERPOOL, August 25, 1809.

	s.	d.		s.	d.
Sea Island, very clean and fine	2.	4	to 2.	6	
Good clean, rather fine	2.	3	to 2.	4	
Good clean, fair	2	1⅓	to 2.	3	
Good clean, middling	2.	0	to 2.	1⅓	
Inferior and stained	1.	3	to 1.	1½	
Upland, new	1.	5¼	to 1.	5½	
Upland, old	1.	3	to 1.	4	
Tennessee	1.	5	to 1.	5½	
New Orleans	1.	6	to 1.	7¼	
Bourbon		none			
Cayenne	1.	11½	to 2.	0	
Surinam	1.	10⅔	to 1.	11⅓	
Demerara	1.	5	to 1.	10	
Grenada and Carriacon (Curocoa)	1.	8⅓	to 1.	10	
Barbadoes	1.	8			
Bahama	1.	5	to 1.	9	

	s.	d.		s.	d.
Cumana	1.	5	to 1.	9	
Oronoko	1.	7	to 1.	9	
Jamaica	1.	5	to 1.	7	
St. Domingo	1.	4	to 1.	6	
Trinidad	1.	5⅓	to 1.	7½	
Laguira	1.	5	to 1.	6	
Giron	1.	7			
Carthagena	1.	3	to 1.	3½	
Surat, long	1.	1⅓	to 1.	2⅓	
Surat, short	1.	0	to 1.	1	
Smyrna	1.	1⅓	to 1.	3	
Pernambuco	2.	0⅓	to 1.	1	
Bahia	1.	11	to 1.	11½	
Maranham	1.	10⅓			
Para	1.	9⅓	to 1.	10	
Mina	1.	9	to 1.	9½	
Rio					

"Duty on cotton imported in American ships 25s. 6d., in British ships 17s. 2d. per 100 pounds."

A further item to like effect is that for the first six months of 1808 the import into Great Britain "from Brazil and Lisbon" was 4,980 bales; for the same period in 1809 it was 49,260 bales.

April 5, 1810, Augusta quotation is 10 to 11¼; January 10, 1811, is 13 to 13½.

In October, 1810, Napoleon puts a duty of 300 francs on "Brazil, Cayenne, Surinam, Demarara and Georgia long staple," and an explanatory note by the editor says all Southern Sea Island cotton was then called "Georgia long staple" in European marts.

In 1810 the total export of the United States was 188,000 bales. From this time out the growth of the export, rate of the markets, etc., are readily traceable, and further quotations would not be of any special interest. Suffice it to say that in 1825 when Whitney died, the annual export had risen to 400,000 bales as against the 379 painfully picked out by hand in 1791.

We have said that the idea of cotton manufacturing at the South was coeval with the invention of the cotton gin. As we have seen, a cotton-mill was incorporated in Georgia in 1798, but five years after Whitney had received his patent. By 1800 the export from Georgia had risen to 6,889 bales, as against 379 in 1791; and in 1825 had risen to 400,000. This rapid increase in the raw material would have forced a corresponding development of manufactures in this State, but for the fact that Europe and the North were clamoring for supplies, and it was evidently a serious question in those days whether the South could compete with the greater capital and mechanical resources of such rivals. For instance, as early as 1808, the state of manufactures in New England was so flourishing as to attract special attention in the Southern press. As one instance, it was then noted that there was one mill in Rhode Island 211 feet long and with 10,000 spindles, pretentious figures at that time. Another trouble in the southern path was the labor question. A slave was worth more to produce cotton than to manufacture cotton. The South had a practical monoply of production, but many competitors in the arena of manufactures. These considerations seem to have had a most depressing influence on the original conception that cotton should be grown at the mill-door, and it was not until a number of years after Whitney's death that Southern cotton manufacturing began to show signs of life. After the incorporation of the cotton factory of 1798, heretofore mentioned, we find no other like establishments chartered until the year 1810, when it appears one was incorporated in Wilkes county. The act gives as the reason of its passage that "Matthew Talbot, Bolling Anthony, Benjamin Sherrod, John Bolton, Frederick Ball, Gilbert Hay, and Joel Abbott, as managers of the company established in Wilkes county in this State, have by their memorial represented that a company has been formed for the purpose of manufacturing cotton and woolen goods (by machinery to be erected in Wilkes county) with a capital stock of ten thousand dollars, to be increased conformably to the articles of association of said company to any sum not exceeding fifty thousand dollars; and the said managers have petitioned the Legislature for a charter of incorporation to enable them more effectually to accomplish the laudable and patriotic objects of the company." The company was therefore chartered as "the Wilkes Man-

ufacturing Company." The act gives no light as to the methods of manufacturing then in vogue, nor does aught of the further history of this early mill appear. It is stated, and it seems on good authority, that no organization under the charter was ever had.

It was not until about twenty years later that cotton manufacturing in the South began to assume practical shape. From all the evidence we have been able to obtain it seems clear that Mr. John Shly (for many years judge of the Superior Court at Augusta and whose biography will be found in the chapters of this work on the judicial establishment) is entitled to the honor of successfully operating the first cotton factory in the Southern States.

In 1828 Mr. Shly went to Philadelphia and bought from Alfred Jenks, of Bridesburg, Penn., the first machinery for making cotton bagging and spinning yarns ever brought to Georgia. The machines were shipped to Savannah and thence wagoned two hundred miles to the interior, in Jefferson county, on Reedy Creek, and there Mr. Shly established his factory. The machinery was the best then known, termed "the live spindle." It was an English invention, and spun yarns of from fours to twelves. The bagging was number one thread. The journey to Philadelphia from Louisville, in Jefferson county, took Mr. Shly six weeks of constant travel in what was then known as the Alligator line of stage coaches. In his factory he ran four looms on cotton bagging, making from 300 to 400 yards per day. Of yarns he spun about 200 to 300 pounds per day, the quantity varying according as fine or coarse yarns were turned out. For this he received from $1 to $1.50 per pound, the market being among the country people who worked it up into homespuns, jeans, etc. The bagging was sold to the planters to pack cotton in, the staple at that time being packed only in round bales. To make the bales, the planter would cut off a piece of bagging about ten feet long. The edges were then joined and sewed together, and one end also sewed up. This made a bag ten feet long and from twenty-two to twenty-three inches wide. Into this the cotton was tightly packed and rammed. When full, the mouth of the bag was closed. At each of the four corners an ear or lug, commonly filled with cotton seed, was made. The round bale ordinarily weighed 200 pounds, sometimes running to 300.

After running some years, the price of cotton rose so high that the making of bagging out of it became unprofitable, and Mr. Shly discarded his bagging machinery and replaced it with spinning machinery, called "the dead spindle," an improvement on the live spindle, and devoted himself entirely to spinning yarns. The new spindle ran faster than the old and increased his production materially. The yarns were put up in five pound bunches, and found ready sale in the neighborhood, as has been stated.

In the "live spindle" the spindle itself revolved, as well as the flyer. If the speed exceeded a certain moderate velocity the wings of the flyer expanded, causing them to catch one on the other and break. Moreover, in order to insert a new bobbin it was necessary to unscrew the flyer.

In the "dead spindle," the spindle was stationary, and only the flyer revolved. The flyer was secured top and bottom to the whirl, thus preventing expansion and allowing a much greater rate of speed, and consequent increased yield of yarn.

After obtaining the dead spindle Mr. Shly put in six power looms, and wove osnaburgs, weighing about eight ounces to the yard, which he sold to the planters to clothe their slaves. These goods were about thirty inches wide, and sold readily at half a dollar per yard. Some fifty hands were employed in this primitive factory, about half being whites, and the rest slaves hired for the purpose. The white hands made from $6.50 to $10 per month, according to skill. Mr. Shly furnished his operatives houses, fire wood, garden patches, etc., free. While the number of hands looks large for works no more extensive than this early factory, it must be remembered that in the then infancy of machinery more manual labor was required than at the present day. Mr. Shly also required his sons to work in the factory, for the purpose of acquiring a practical knowledge of the business. This was the first cotton manufactory in Georgia. It was called indifferently Shly's Mills, Reedy Creek Factory, and Jefferson Bath Mills

About 1834 Mr. Shly removed his factory from Jefferson county to Richmond. The cause of the removal was the unhealthiness of the Jefferson site, caused by the rotting of the timber in the mill pond. At this time Mr. Valentine Walker had a saw-mill on Butler's Creek, seven miles from Augusta, which Mr. Shly purchased and named Bellville. This site he converted into a cotton-mill. Having more power, he put in double the quantity of machinery used at the Ready Creek mill. In addition to cotton machinery, he put in machinery for the manufacture of woolen goods. The woolen goods were known as "Georgia plains;" it was made of all wool filling and cotton warp; was thirty inches wide and weighed ten ounces to the yard. These goods were sold to the planters for dresses for the female slaves. In addition there was made a twill of wool and cotton mixed, which weighed twelve or fourteen ounces to the yard, two grades being manufactured. This was used by the planters for overcoats, trousers, and jackets for their men slaves. It was exceedingly popular among the planters in Georgia and Carolina, particularly on the rice plantations, and superseded "British plains," being much more durable, warmer, and only costing half the price, the British plains being eighty cents per yard and the Georgia article forty cents.

This mill also manufactured the first striped or checked cotton goods made in Georgia. A dye house was put in, and a variety of stripes and plaids were turned out. Blue and brown denims were also made, and had a large sale for workingmen's suits. It may here be added that during the war the mill made the first cotton duck made in Georgia. It was manufactured largely for tents and caisson covers for the Confederate government. Messengers came from many factories to Bellville to learn how to make this class of goods.

Mr. Shly invented the first picker for picking the burrs out of wool and received a patent for it. In the destruction of the patent office by fire in 1830 the patent was destroyed. Mr. Shly then being on the bench and attaching little importance to his invention suffered his rights to lapse. Subsequently other parties patented the idea, and it is now indispensable. Mr. Shly's invention was a corrugated roller running in front of the burring cylinder.

The outfit of the Bellville factory was 5,000 cotton spindles and 1,200 wool spindles. There were 100 looms working on wool and cotton goods. There were eighty hands, the improvements in machinery allowing a material reduction of force. The production was 800 to 1,000 yards per day of woolen goods, the quantity varying with the weight of the goods produced, and 3,000 yards of cotton goods, osnaburgs, stripes, plaids, and denims. Shortly before the war the Bellville factory was burned, a spark falling in the lint-room. With considerable effort it was rebuilt and refitted, and, as before stated, did much work for the Confederate government. There was a considerable production of duck used for caisson covers, and this new development was the cause of the second and final destruction of the time honored mill. In order to make the caisson covers more efficient they were enameled, and in this process a number of inflamable ingredients, oil, turpentine, etc., accumulated about the factory. One night, shortly after the operations of the mill for the day were over, fire was discovered in the paint or enameling room. The superintendent and his hands rushed to the rescue, but on bursting open the door of the room were driven back by overpowering fumes of sulphur; the flames instantly darted out into the other portions of the mill and the building was soon in ashes. One of the hands who had been employed a short time before and whose antecedents were unknown, had disappeared and was never seen thereafter. It was then called to mind that he had predicted the destruction of the factory on the ground of its rendering such efficient aid to the Southern artillery, and the conclusion was not far off that he had been sent to do the work of destruction. The use of sulphur to drive off the rescuers until too late to save the property was considered a pregnant proof of fell design.

A few years after Mr. Shly had demonstrated that cotton manufacturing in Georgia could be made a success quite a number of factory companies were incorporated, some of which still survive, as the Princeton factory at Athens, Shoal Creek, Roswell, and Montour factories, at Parker Store; Roswell and Sparta, not forgetting Richmond factory, on the waters of Spirit Creek, in Richmond county, about ten miles from Augusta. Of this latter mill, still in active operation, we will give some sketch.

In 1834 William Schley, Daniel Hook, Philip Thomas Schley, and George Schley, jr., were incorporated under the name and style of "the Richmond Factory, for the purpose of manufacturing cotton and wool, and making the machinery necessary and proper for the manufacture of those articles." The

charter does not state the amount of the capital stock, simply saying that "a large sum of money has been invested by the company in the purchase of machinery and a water power on the banks of Spirit Creek." In 1849 the capital stock was $35,000, the number of spindles 1,500, and of looms forty. The operatives were seventy in number, mostly whites, and their wages from ten cents to one dollar per day. The annual consumption of cotton was 450 bales, the daily production 1,000 yards of cloth and 150 pounds of yarn. The product was equal in quality to any then produced in the United States, and was mostly sold in the United States. From its commencement up to 1849 this mill had paid a regular annual dividend of sixteen per cent. At present 2,200 spindles are operated in this venerable mill, the pioneer in Richmond county.

Prior to the incorporation of the Richmond Factory, namely in 1832, Moses Roff, jr., John P. King, Green B. Marshall, Daniel Hook, and Amory Sibley were made commissioners to receive subscriptions for a cotton and woolen manufacturing company in Richmond county to be called "the Richmond Manufacturing Company." The capital stock was to be $50,000, in shares of $50 each, and increasable to $100,000. The charter is quite long, and makes many minute provisions as to the management of the corporate business, but throws no light upon the subject of manufacturing itself, and does not appear to have been put in operation.

An inspection of the map of Richmond county will show that it seems marked out by nature for a manufacturing center from the abundance of water-power to be found within its limits. Leaving out of view for the present the Savannah River, which forms the northern and northeastern boundary of the county, we find seven different streams traversing the county in various directions, each of them studded at intervals with lakes or ponds. The value of the water-power thus profusely scattered about the county seems to have been recognized from the earliest settlement of the county, and to have been, from a very early date made available for grist-mills, and at a later period, cotton-gins. Some of the sites have been in use for over half a century, and one for ninety years. Taking the county at its northernmost point and coming southward, we first find Rae's Creek, flowing in a northeasterly direction and emptying into the Savannah River a little to the north of Augusta. This stream has two ponds, Thomas' pond and Skinner's pond, each with an ancient mill site, and just before it reaches the river debouches into a handsome sheet of water called Lake Rae. Next below, and running parallel with the Savannah River, at a distance of about three miles south of the city and emptying into the river we find Rocky Creek which has six ponds, three of them—Wyld's, Kendrick's, and Phinizy's having mills. The latter site is one of the oldest if not the oldest in the county, and has an historical interest from the fact that it was here that Eli Whitney first operated his cotton-gin. The traveler, journeying from Augusta to Savannah, can see from the car windows, as he speeds along the Central Railway, this historic spot.

Next below Rocky Creek comes Butler's Creek, a bold stream which also runs parallel to the river and empties into it. This stream has eight ponds upon it, among others Wynne's, Crawford's, Tabb's, Belleville Factory, Duval's and Carmichael's. Below Butler's Creek, and running parallel to it and emptying into the Savannah River, comes Spirit Creek which, like Butler's, traverses the county from side to side. This has on the main stream and its tributaries, South Prong of Spirit Creek, Grindstone Creek, and Little Spirit Creek, eleven ponds, among them Richmond Factory pond, McDade's, Hancock's Hack's, and Walker's. South of Spirit Creek, and forming the southern boundary of Richmond county, is Briar Creek, famous as the scene of a battle in the Revolutionary War. This has four ponds, Fulcher's, Story's, Dickinson's, and Bennoch's. All these streams run in a southeasterly direction across the county, dividing it into four water tiers, so to speak, but even this abundant supply does not exhaust the water-power. In the southwestern corner of the county, known as Pinetucky, two more streams furnish mill sites. One is Sandy Run, which runs almost due south, and has upon it five ponds, among them Merry's, McNair's, Palmer's, Savage's, and Bradshaw's. To the west of this, and also running due south, comes the classic Boggy Gut with two ponds. On these streams are to be found two factories, Richmond Factory, on Spirit Creek, and Belleville Factory on Butler's Creek; the building of the latter, however, being now in ruins. The number of neighborhood mills is legion. Among them may be mentioned Skinner's, Thomas's, Wyld's, Kendrick's, Phinizy's, Wynn's, Crawford's, Rowley's, Tabb's, Duval's, Carmichael's, McNair's, Rhode's, McDade's, Dove's, Walker's, Bennoch's, Dickinson's, Hancock's, Fulcher's, Bradshaw's, Palmer's, Merry's, and Mercer's. Some exist only in name now, others grind the neighborhood corn and gin the neighborhood cotton as blithely as of yore. Pleasant is the recollection of the many streams which intersect Richmond county and of the many mill sites which dot their banks. Happy are the hours we have spent in their cool shades watching the clouds flit by, hearing the pine trees rustle their wholesome foliage, breathing in the balsamic air, and ever and anon landing one of the fine game fish, bream or trout, that lurk in their dark pools. The abundant power we have mentioned as existing throughout Richmond county was early utilized for manufacturing purposes.

In 1834 Richmond Factory was built on the waters of Spirit Creek, and in 1850 the McBean Manufacturing Company was chartered to operate on the waters of the stream of that name. In 1854 the pioneer, Belleville Factory, on the waters of Butler's Creek, was incorporated. Of the McBean Factory we will have more to say hereafter. Suffice it here to say that at a later date the locality of its franchise was transferred to the city of Augusta and its name changed to the Augusta Factory.

In 1854 George Schley, John Shly, James M. Schley, William Schley, and

Robert Schley were incorporated as the Belleville Factory, and empowered not only to operate Belleville Factory proper, "a manufacturing establishment in operation, located on Butler's Creek in Richmond county, seven miles south of the city of Augusta, for the manufacture of wool and cotton cloth," but to erect and operate other mills "for the manufacturing of wool and cotton cloth or other things" with like privileges. For many years this factory was in successful operation, as before noted.

The abundant water-power of Richmond county inspired the organization of some manufacturing companies other than for the making of cotton goods. As early as 1839 we find that Jonathan Meigs, John M. Dow, Joseph K. Kilburn, Jesse Clark, Cesain Blome, Jesse Walton John Ambler, William H. Gordon, Thomas Chaffin, and Leon P. Dugas were incorporated as "the Georgia Silk Manufacturing Company, to be located in Richmond county for the purpose of raising mulberry trees, growing and manufacturing silk, manufacturing machinery for reeling and spinning silk, and for carrying on the different branches of business necessarily connected with the operations above mentioned." The capital was fixed at $500,000, and John Ambler, John M. Dow, and Jesse Walton were to direct the affairs of the company until it was formally organized. The company was incorporated for thirty years, and given power to establish branches of the business in other counties of the State. These were the days of the *morus multicaulus*, of the great silk-worm craze which swept over the country a half century ago, and sanguine were the expectations of the projectors of this novel enterprise. In the collapse of the silk fever it went down, and yet it may be said it was not a visionary scheme but only premature. It cannot be denied that that portion of Georgia in which Augusta is situated is admirably adapted to silk culture, and if the economic conditions can ever be made as favorable as the natural the dream of the early founders of the State that it should become a silk-producing country will be realized. So firmly persuaded were the founders of Georgia being a silk country that, as will be remembered, the colonial seal bore the impress of a figure representing the genius of the province presenting a skein of silk to the king.

In the same year, 1839, a company was formed for the production of beet-sugar. J. K. Kilburn, William Jones, William Gordon, John Ambler, and John W. Dunn were incorporated as the Augusta Sugar Manufacturing Company, with a capital of $450,000, increasable to $480,000, with power to establish branches of the business in other counties. The objects of the company were "the raising of the beet, and manufacturing sugar from the same, and for purifying and manufacturing sugar in its various branches." The charter ran to 1870, but, like the silk company, this corporation came to naught.

The use made of the water-power found so abundantly in the interior of Richmond county finally attracted attention to the Savannah River as having more than all the interior streams combined, and only needing adaptation to

manufacturing needs. The existence of the Richmond Factory on Spirit Creek in so flourishing a condition as to pay a dividend of sixteen per cent. from the moment of its first operation was a standing incentive. If so much could be done on a country stream, what might not be done with the power of the Savannah River? This agitation led to the Augusta Canal and the history of this famous work of internal improvement we now trace. To the energy and foresight of Nicholas De Laigle, James Fraser, John P. King, Andrew J. Miller, and Henry H. Cumming, old and honored citizens of Augusta, and to the liberality of the Bank of Augusta, the Augusta Insurance and Banking Company, the Bank of Brunswick, afterwards the Union Bank, and the Georgia Railroad Banking Company, the canal owes its existence. The original ordinance providing for the canal is seldom now seen, and we here reproduce it as adopted on March 15, 1845. It reads as follows:

"An ordinance to provide for the construction of a canal for manufacturing purposes, and for the better securing an abundant supply of water for the city.

"Whereas, certain banking institutions, with the view of facilitating the construction of a canal for the purposes indicated in the title of this ordinance, have proposed, upon certain conditions, to advance to the city council certain sums of money, and from time to time, as may be needful, to cash such bonds (not exceeding in the aggregate the sum of one hundred thousand dollars) as may be issued by the authority, and on the credit of said city, for the prosecution of said work; and, whereas, the citizens of Augusta, at a late public meeting, with great unanimity, resolved that the proposals of said institutions should be acceeded to, and the plan suggested carried into effect, and the city council concurring in opinion with said meeting:

"Section 1. Be it ordained by the city council of Augusta, that his honor the mayor be, and he is hereby authorized and required, in the name and in behalf of the city council of Augusta, to enter into a contract with the following banking institutions, to wit: The president, directors and company of the Bank of Augusta, the Augusta Insurance and Banking Company, the Bank of Brunswick, and the Georgia Railroad and Banking Company, by which said contract, in consideration of certain things hereinafter specified to be done by the said banking institutions, the city council of Augusta shall bind itself to impose and collect such yearly amount of tax on real estate within the city, as will be sufficient to raise, within ten years, the amount requisite to pay the bonds hereinafter provided for, and issue the certificates, and make the transfer hereinafter specified; in consideration whereof, the said several banking institutions shall, in and by the said contract, respectively bind themselves to advance to said city council of Augusta, the sum of one thousand dollars each, and to cash the bonds hereinafter specified, whenever required so to do, in conformity with the terms of said contract.

"Section 2. And be it further ordained by the authority aforesaid, that in

conformity to the terms of the said proposed contract, there be assessed and collected for the current year, and there is hereby assessed for said year, on all the real estate in the city of Augusta, subject to taxation, a tax of one-fourth of one per cent. on the present valuation thereof, and that the clerk of council forthwith make out and deliver to the collector and treasurer of said city, a digest of all the taxable real estate in the city of Augusta; and that the said collector and treasurer immediately thereafter proceed to collect the said tax, and upon the receipt thereof deliver to each taxpayer a transferable scrip or certificate of such payment, securing to such tax-payer and his or her assigns, an nterest in the said canal proportionate to the amount of tax so by him or her paid; and the said collector and treasurer shall, in like manner to each of the banking institutions in the first section of this ordinance named, and to such other voluntary contributors (whose contributions he may have been by the city council authorized to receive), issue and deliver similar certificates; and it shall be the duty of the said officer, and of the clerk of council, in all books, accounts, and statements kept or made by them, respectively, to keep the account of the said tax separate and distinct from all other accounts of the city council, distinguishing the same as 'the canal tax,' and the said tax shall be devoted and applied exclusively to the payment of the bonds hereinafter mentioned, and such interest as may accrue thereon.

"Section 3. And be it further ordained by the authority aforesaid, that the city council, immediately after the passage of this ordinance, shall elect nine canal commissioners, whose duty it shall be to make all necessary contract for the construction of the proposed canal, and other works therewith connected; to receive all moneys raised for that purpose and to disburse such parts thereof as may be required in the construction of the same, to employ engineers and others, whose services may be required for that purpose; locate the line of said canal along the high ground between Jackson and Washington streets, south of the Beaver Dam, and provide for the discharge of the same into the river at or near the northern extremity of East Boundary street; and generally to superintend the entire construction of the said canal, necessary aqueducts, wasteways, bridges, and other works therewith connected. And it shall be the duty of said commissioners immediately on the receipt of any moneys applicable to the construction of the said canal and other works, to deposit the same in one of the banks in this city, to be thence withdrawn only for the purposes of said work, upon checks signed by at least three of their number, and countersigned by their secretary and bookkeeper, and make regular monthly reports to the city council of all their actings and doings, accompanied by an account of all moneys by them received or disbursed for the purposes aforesaid. And the said commissioners shall have the power to fill all vacancies occurring in their body by death, resignation, removal or otherwise; and any commissioner may for misfeasance or neglect of duty, be removed by the city council, at a meet-

ing called for that purpose, by a vote of three-fourths of the members present, and upon such removal it shall be the duty of the remaining commissioners immediately to fill the vacancy thereby produced.

"Section 4. And be it further ordained by the authority aforesaid, that the said board of commissioners shall, before transacting any other business, proceed to elect a secretary and bookkeeper, with a reasonable salary, and removable at their pleasure, whose duty it shall be to attend all meetings of the commissioners, keep minutes of their proceedings, and full and regular accounts of all moneys received and expended by them, and perform all other duties which may be required of him by the said commissioners.

"Section 5. And be it further ordained by the authority aforesaid, that so soon as the mayor for the time being, shall be notified by the said commissioners that they are fully organized and prepared for the transaction of business, it shall be his duty, and he is hereby required, to make and issue, in the name and behalf of the city council of Augusta, bonds of convenient amounts, not exceeding in the aggregate the sum of one hundred thousand dollars, signed by him in his official capacity, countersigned by the clerk of the council, and sealed, with the corporate seal, payable in ten equal annual portions, so that the first portion of the said bonds shall be payable one year after date, and the last portion ten years after the date thereof, with interest at the rate of eight per cent. per annum, payable semi-annually, to be calculated from the days on which said bonds shall be respectively cashed by the banking institutions aforesaid in conformity to their proposed contract, which days shall be inserted by said commissioners in a blank to be left for that purpose in said bonds; which said bonds with such contributions to be applied to said work as may be received by him, the said mayor, or the city council of Augusta, or any of its officers, shall be turned over to the said commissioners, who, or a majority of them, shall receipt for the same.

"Section 6. And be it ordained by the authority aforesaid, that so soon as the said canal, with works therewith connected, shall have been completed, and scrips or certificates, as provided in the second section of this ordinance, shall have been issued for two-thirds of the tax imposed in and by the said section, it shall be the duty of the mayor for the time being to issue his proclamation inviting the holder of said scrip, in person or by their agents, attorneys or proxies, on a day to be therein named (and at least ten days after the issuing of such proclamation), to assemble at such place in said city as he may designate, to adopt such rules and regulations and appoint such officers as they deem expedient for their own government in the future management of the said canal and the works therewith connected, at which said meeting and at all future meetings, until the holders of the major part of the aggregate amount of said scrips shall have otherwise directed, each scrip holder shall be entitled to one vote at the least, and to an additional vote for every dollar over one, for which he or she may hold scrips.

"Section 7. And be it further ordained by the authority aforesaid, that so soon as the mayor, for the time being, shall duly be notified that the said scrip holders are fully organized by the adoption of rules and regulations and the appointment of officers, as provided in the preceding section, he shall give notice thereof to the canal commissioners, whose duty it shall be thereupon to furnish to the proper officer or officers of the said scrip holders, a full statement of the situation of said canal and the works therewith connected, and in due form surrender and transfer the same to the said officers, with all the rights and privileges acquired by them as commissioners, and pay over and deliver to them all moneys and city bonds then remaining in their hands, provided the same do not exceed the sum of five thousand dollars, over and above what may be then due upon unsettled accounts against the said commissioners, and the residue, if any, to the treasurer of the city, to be applied exclusively to the payment of outstanding bonds issued under the provisions of this ordinance; upon the completion of which surrender and transfer the duties and office of said commissioners shall cease.

"Section 8. And be it further ordained by the authority aforesaid, that the mayor be, and he is hereby authorized and required to execute and deliver to Nicholas Delaigle, James Frazer, John P. King, Andrew J. Miller, and Henry H. Cumming, in trust, for the ultimate proprietors of said canal, a deed, granting the right of way for the same over and through all lands belonging to the city council, upon the following terms, that is to say, that the managers and proprietors of the said canal, for the purpose of insuring an adequate supply of water for the use of the city, shall at all times keep in said canal, within the corporate limits, a stream of water at least four feet in depth, and permit the city council to withdraw from the same at any point below Centre street extended, or at such other point or points as may be agreed on, such quantity of water as may be required for the use of the city, not reducing the volume of water in said canal below what is necessary for manufacturing purposes, and upon the further condition that no water shall, without the consent of the city council, be withdrawn from said canal for the purpose of propelling machinery, at any point above West Boundary street, except in those cases in which the proprietors granting the right of way for said canal have reserved the right to use the same.

"Done in council this fifteenth day of March, eighteen hundred and forty-five. M. M. DYE, Mayor C. A.

"Attest, JOHN HILL, clerk, *pro tem.*"

By ordinance of July 7, 1845, the foregoing was amended so as to make the point of discharge for the canal into the river at or near Hawk's Gully instead of at the northern extremity of East Boundary street, or in other words at the western instead of the eastern end of the city.

While the legislation on the subject of the canal was in this shape applica-

tion was made to the General Assembly for a charter for the proprietors of the canal under the original scheme, and in December, 1845, that body passed the following act, which with the ordinances of March 17 and July 17, 1845, form the organic law, so to speak, of the canal. The act is as follows:

"An act to incorporate the proprietors of the Augusta Canal, and to confirm certain ordinances of the city council of Augusta, therein mentioned, and to punish those who may injure their property.

"Whereas, the city council of Augusta, by an ordinance passed on the fifteenth day of March, eighteen hundred and forty-five, amended by an ordinance passed on the seventh day of July, of the same year, provided for the construction of a canal for manufacturing and other purposes, which is now in process of construction from Bull Sluice, on Savannah River, in Columbia county, into the city of Augusta, by which said ordinance the payers of certain taxes therein specified, and others contributing to the expense of constructing the said canal, and their assigns, are to become the proprietors thereof, in proportion to the amount of scrip issued to, or held by them, under the provisions of said ordinance; and whereas, it is necessary for the proper management of said canal that the proprietors thereof should be incorporated.

"Section 1. Be it therefore enacted by the Senate and House of Representatives of the State of Georgia, in general assembly met, and it is hereby enacted by the authority of the same, that all persons now holding, or who may hereafter hold such scrip as has been or may be issued by authority of, and in conformity to the provisions of an ordinance of the city council of Augusta, passed on the fifteenth day of March, in the year of our Lord eighteen hundred and forty-five, entitled an ordinance 'to provide for the construction of a canal, for manufacturing purposes, and for the better securing an abundant supply of water for the city,' be, and they are hereby made and declared to be a body corporate and politic, under the name and style of the Augusta Canal Company, and by that name and style shall have perpetual succession of officers and members, and be capable in law to have, purchase, receive, possess, enjoy and retain, to themselves and their successors, lands, tenements, hereditaments, goods, chattels and effects, of what kind, nature or quality soever the same may be, and the same to sell, grant, demise, alien, or otherwise dispose of; to sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity of competent jurisdiction, in this State or elsewhere; also to adopt and use a common seal, and to ordain, establish, and execute such by-laws, rules and regulations, as they shall deem necessary for their government, and the proper management of said canal. Provided the same be not repugnant to the constitution and laws of this State, or of the United States.

"Section 2. And be it further enacted by the authority aforesaid, that for the well ordering of the affairs of said company, there shall be a board of five managers, who shall be elected so soon as said canal shall be completed by the

commissioners now charged with the construction of the same, or before that time, if a majority of the scripholders, or stockholders voting as hereinafter provided, shall, at a meeting to be called for that purpose, after ten days' notice in any two gazettes published in Augusta, so determine; which said managers shall hold their offices for one year from the time of their election, and until their successors shall be duly elected; at which elections, and in all meetings of the scripholders or stockholders, each scripholder or stockholder shall have one vote at least, and an additional vote for every dollar over one for which he or she may hold scrip. And the said board of managers shall, at the first meeting after their election, elect a president, and such other officers as may be necessary for the convenient management of the affairs of the said company. Provided that such election of managers and officers shall not supersede the commissioners now charged with the construction of said canal and works, before the completion of the same.

"Section 3. And be it further enacted by the authority aforesaid, that it shall be lawful for the said managers, at any time hereafter, to increase the volume of water in said canal, by deepening or widening the same, or both, and extending and raising the dam now being constructed at the upper end of said canal; and any damage sustained by individuals from the construction of such works, or any of them, shall be ascertained and recovered in the manner hereinafter specified for the ascertainment and recovery of other damages.

"Section 4. And be it further enacted by the authority aforesaid, that the said managers for the time being shall have full power, in the name and behalf of the said company, to make all contracts for the construction, extension, repair and improvement of said canal and its appurtenances, and for the use of the water of the same for manufacturing or other purposes, and to impose and collect such proportionate assessments upon the individual stockholders of said company as may be required for such construction, extension, repair or improvement, or for the payment of any damage sustained by manufacturers or others from a failure to supply them with water, according to such contracts as may be made by virtue of the authority hereinbefore granted, or to meet any other legal liability of the company; and upon the failure of any stockholder to pay such assessment within thirty days of the time appointed for the payment of the same, (of which ten days notice shall be given through any two of the gazettes then published in the city of Augusta), the entire interest of such defaulting stockholder in said canal and its appurtenances, and all other property, rights and franchises held by the company, shall be forfeited to said company.

"Section 5. And be it further enacted by the authority aforesaid, that in case the line of said canal, or the race-ways, waste-ways, or towpath therewith connected, shall pass through the lands of any person or persons with whom the present commissioners, or their successors, or the future managers of said canal, hereafter to be elected, as provided in the second section of this act,

have not made or cannot make a satisfactory agreement as to the terms upon which the same may be extended over or through such lands, the said commissioners, or their successors, or the said managers, as the case may be, shall nevertheless have the right to establish, open and construct the said canal, race-ways, water-ways, (waste-ways) and towpaths through and over the same, and that the damages, if any, sustained by the proprietor or proprietors of such lands shall be ascertained and assessed by five appraisers, of whom two shall be nominated by said commissioners or managers, two by such proprietor or proprietors, and the fifth by the four so nominated, whose award, or that of a majority of them, certified in writing under their hands and seals, in duplicate, one part for each of the parties in interest, shall be recorded in the office of the clerk of the Superior Court of the county in which such lands are situated; and if not appealed from, as hereinafter provided, shall operate as, and have the force and effect of a judgment, vesting in said company the right of way over and through such lands; upon which award, so recorded, and not appealed from, if any sum is thereby awarded as damages to said proprietor or proprietors, the said clerk shall, after the expiration of thirty days from the time of the record thereof, issue execution for the same, under the usual form of executions founded upon judgment of the court, returnable to the next Superior Court of said county, which execution may be levied on any property of the company, real or personal. But in case either of the parties should be dissatisfied with the decision or award of the said appraisers, such dissatisfied party or parties may, within ten days after the recording of the same, exercise his, her or their right of appeal, by making known his, her or their intention, by a written notice served upon the adverse party, and upon the said clerk, whose duty it shall be thereupon to suspend the issue of execution, and enter a memorandum of such appeal on the appeal docket of his court, to be tried by a special jury at the next term, which trial shall be final, vesting in the company the said right of way, and in case of damages entitling the person for whom they are found to a judgment and execution therefor: Provided, that the appraisers hereinbefore mentioned, before entering upon the discharge of their duties as such [shall] severally take and subscribe an oath, before some judicial officer of the State, well and truly and impartially to determine and award in the premises.

"Section 6. And be it further enacted by the authority aforesaid, that in case it should be necessary, in the further construction or future extension, deepening or widening of said canal, or its race-ways, waste-ways, or other improvements or works therewith connected, to use any earth, clay, stone, gravel, or other materials, on or near the line of said canal, or other works, and the said commissioners or managers, and the proprietor or proprietors of the land from which such earth, clay, stone, gravel or other materials are to be taken cannot agree upon the terms on which the same may be procured for

the purposes aforesaid, it shall nevertheless, be lawful for said commissioners or managers to take and use the same, and the damages, if any, shall be assessed, the right of appeal if desired exercised, and the ultimate award or judgment shall be enforced, as provided in the preceding section of this act in relation to the right of way, and assessment and collection of damages awarded by the appraisers, or found by special jury on appeal: Provided, that no difference or disagreement between the said company and any landholders shall be a ground for injunction against said commissioners, managers or company, or otherwise suspend or impede any of the works contemplated in this or the preceding section of this act, which shall proceed without delay or interruption, upon the said commissioners, managers or company tendering to such landholders sufficient security for the payment of such damages as may be so assessed or found for him as aforesaid; upon the sufficiency of which said security the judge to whom application may be made shall decide, and who if he deems the same insufficient, shall require other or additional security to be offered within three days; on failure or refusal to give which an injunction may issue; but any injunction granted against said commissioners, managers or company shall be dissolved so soon as such security as the judge of the Superior Court of the middle district of this State may deem sufficient shall have been given by said commissioners, managers or company.

"Section 7. And be it further enacted by the authority aforesaid, that the board of managers, for the time being, shall have power to make and enforce such rules and regulations in relation to the use of said canal and its waters, for navigation or other purposes and to impose and collect such tolls, rents or other charges, as they may deem equitable and expedient, and which do not interfere with any of the existing contracts or obligations of said company, or of the commissioners now charged with the construction of said canal, under the provisions of the ordinances of the city council of Augusta, mentioned in the first section of this act; which said ordinances are hereby confirmed and declared to be of full force, so far as the same are not superseded or modified by the provisions of this act. Provided that nothing herein contained shall affect the rights of any person or persons who may have heretofore instituted any legal proceedings with a view of obtaining exemption or relief from the payment of taxes or assessments imposed by said ordinance.

"Section 8. And be it further enacted by the authority aforesaid, that in case it should at any time hereafter be deemed expedient for any of the lawful purposes of said company to increase the capital stock thereof, by voluntary subscriptions, it shall be lawful for the stockholders therein to authorize such increase, upon such terms and conditions as may be decided on by said stockholders, voting as hereinbefore provided, in a general meeting to be called for that purpose, of which at least thirty days' notice shall be given in the several gazettes then published in the city of Augusta; and that the new stockholders

coming into the corporation under such subscription, shall have all the privileges and be subject to all the duties and liabilities of the original corporation.

"Section 9. And be it further enacted by the authority aforesaid, that in case the managers of said company should at any time hereafter deem it necessary or expedient to borrow money to carry on the construction, extension, enlargement or improvement of said canal, or any of the appurtenances thereof it shall be lawful for them to mortgage the said canal and appurtenances, and any other property of which they may be possessed, by way of security for the payment of such loans as they may make for such purposes; and that in case of the foreclosure of such mortgage, and the sale of such canal and its appurtenances, the purchaser or purchasers thereof upon full compliance with the terms of sale, shall have, possess, retain and enjoy as a body politic and corporate under the said name and style of the Augusta Canal Company, all and singular the rights and privileges by this act conferred upon and vested in the company hereby incorporated, and be subject to all and singular the duties, obligations and restrictions imposed upon the same by the provisions of this act, or by the ordinances of the city council of Augusta, hereinbefore mentioned, so far as the same are not superseded or modified by this act, and shall be bound faithfully to keep and perform all contracts theretofore made by the said company in relation to the use of said canal and the waters thereof. Provided that no such mortgage shall be made, but upon a vote of a majority of the managers for the time being at two successive meetings between which there shall be an interval of at least ten days. And provided further, that the said managers shall not mortgage said canal and its appurtenances for any sum or sums of money, amounting in the aggregate at any one time to more than ten thousand dollars, unless specially authorized and instructed to loan the same for a larger amount, by a vote of a majority of the stockholders, voting as hereinbefore provided in a general meeting of said stockholders called for that purpose after at least thirty days' notice thereof in each of the gazettes at the time published in the city of Augusta.

"Section 10. And be it further enacted by the authority aforesaid, that if any person shall wilfully and maliciously in any way obstruct, injure or damage the said canal or any raceway, wasteway, towpath, dam, gate, aqueduct, culvert, drain, bridge, fence, or other work therewith connected, or wilfully and maliciously, in any manner whatever, obstruct the free passage of water into and through the said canal, or any of the raceways, wasteways, or aid or assist counsel or abet any other person or persons in so doing, such persons so offending shall be liable to be indicted for a misdemeanor, and upon conviction thereof shall be punished by fine, or imprisonment in the common jail or both at the discretion of the court; and moreover shall be liable in damages to said company, and to any person or persons who may be thereby injured, to be recovered by action in any court having competent jurisdiction.

"Section 11. And be it further enacted, that the proprietors of said canal shall open and keep open the boat-sluice on the outside of their dam, at the head of said canal, so that the navigation of the river at that point shall be made and kept at least as good as it was before the construction of said dam; and that said proprietors shall not be allowed, by any extension of said dam, or any other work, to obstruct the navigation of said river or the free passage of fish.

"Section 12. And be it further enacted, that the stockholders shall be liable for the debts of said company, in proportion to their respective interests therein; and that said company shall not at any time contract debts beyond half the amount of the capital invested."

By act of 1849 the managers of the Augusta Canal Company were authorized, when so directed by a vote of the stockholders, to transfer the canal and all its appurtenances, to the city council of Augusta on such terms as might be agreed on, and subsequently this was done so that the council is now the owner of the work. By the original ordinance an issue of $100,000 of city bonds was authorized. These were to be met by taxation, and each taxpayer was to receive a certificate of stock in the Canal Company proportionate to the amount of canal tax paid by him. The banks were to advance $1,000 each on the bonds, and then cash the residue at such times as might be agreed on. The cash in hand under this arrangement was soon exhausted, and it became evident that the full issue of $100,000 would be insufficient. Accordingly by ordinance of March 7, 1846, council subscribed $30,000 additional in bonds and came in as a stockholder to that extent. By ordinance of October 3, 1846, it levied an annual tax of one half of one per cent. on all the real estate in the city for the redemption of the canal bonds. By ordinance of July 13, 1850, council authorized another issues of $30,000 of city bonds for the use of the Canal Company, to enable it to complete the work. By ordinance of December 29, 1851, another issue of $10,000 was authorized for the same purpose; and by ordinance of November 12, 1852, still another like issue of $30,000. The entire work on the Augusta canal, as it was originally constructed, from the preliminary surveys to the letting in of the water, was done inside of three years. The engineer in charge was William Phillips, for many years city engineer and surveyor, and his account of the work as given a year or two after its completion will be of interest. Mr. Phillips says: "In September, 1844, at the request of Colonel Henry H. Cumming, an examination of the falls in the neighborhood of Augusta was commenced with a view of ascertaining the practicability of rendering them available for manufacturing and other purposes. The report of the engineer indicating a favorable route for a canal, and showing considerable fall, was considered at a meeting of the friends of the enterprise on the 9th of January, 1845. Another survey was made, several preliminary meetings were held, and finally a meeting of the citizens was called at which it was determined to proceed with the work. The plan pro-

posed and adopted was that the city council should issue bonds for the purpose of defraying the expense, and that a special tax should be levied on the real estate in the city to pay off the bonds at maturity. The Bank of Augusta, the Bank of Brunswick, the Georgia Railroad Bank and the Augusta Insurance and Banking Company each subscribed $1,000 for the same purpose. The same banks also gave further aid by advancing cash for the bonds. The right of way through the lands lying west of the city was obtained, with one exception, very easily. The right of way through the city lots was procured with much trouble, except in a few instances, in which the right was granted with great liberality. In April, 1845, the location of the canal was made, and the larger portion of it put under contract. The work was commenced the May following. The whole fall of 45 feet was divided as follows: The first level, extending from Bull Sluice to near Marbury street, about $6\frac{7}{8}$ miles, in length, with its bottom slope of about 6 inches per mile, reduced the fall 41.36 feet; from the first to the second level the fall is 13 feet; from the second to the third level the fall is 13 feet; and from the third to the river the fall is about 15 feet. The first level terminates on the high ground between Marbury and McKinne streets, a little to the south of Fenwick street. The second level overlaps the first on the north, and extends from Mr. Meigs's land to the Savannah road, near its intersection with McKinne street. The third level, lying north of the second, extends from the Savannah road to Hawk's Gully, at the upper end of the city. The waterway of the canal is 5 feet deep, 20 feet wide at bottom, and 40 feet wide at the surface of the water. The water is turned into the canal by a low dam of timber and stone, about 800 feet in length, running diagonally to an island, and including only about one quarter of the width of the river. At the junction of the dam and canal there is a guard-wall of stone, in which there are six gates, by means of which the supply of water is regulated, and that from the river may be entirely excluded. Connected with the dam and guard-wall there is a stone lock by which boats pass into and out of the canal. The first level is passed over the valley of Rae's Creek, by an aqueduct 132 feet in length, constructed of wood. It is passed over several smaller streams, by culverts of stone and brick, and is now connected with Rae's Creek by means of a dam across that stream. At a short distance above Rae's Creek there is a waste way, 420 feet in length, which is intended to regulate the height of the water in all that part of the first level beeween it and the terminus in the city. West of McKinne street the canal is so enlarged as to form a basin and landing for boats. All the bridges are made of wood, and those of the first level are so elevated that the towpath and boats pass under them. The water was let into the first level on the 23d of November, 1846. Last year [1848] there were about 13,000 bales of cotton landed at the basin, and it is probable that the number of bales this year will be extended to 20,000. Besides cotton, flour, corn, peas, bacon, and staves, several thousand

cords of fire-wood have been landed; also granite, gneiss, and mica slate for building. Thus far the advantages anticipated by the promoters of the enterprise bid fair to be realized."

In this sketch, written about 1848, Mr. Phillips fails to mention that Hon. John P. King and Colonel Henry H. Cumming themselves advanced the money to pay for the preliminary surveys which demonstrated the practicability and value of the canal, and were the basis of its construction.

The Augusta Canal, however, was not built without running the gauntlet of litigation. In 1848 Martin Frederick, John W. Houghton, Thomas J. Walton, Philip McGraw, Benjamin F. Chew, David L. Curtis, and John Phinizy filed their bill in Richmond Superior Court to enjoin the collection of the canal tax which had been levied on their property under the ordinances we have mentioned. The bill set out the ordinance authorizing the construction of the canal, the ordinance changing the direction of a portion of the route, the act approving those ordinances, and the ordinance increasing the amount of the canal tax, and then proceeded to say that complainants were owners of real estate in Augusta, and that executions had been issued against them to coerce payment of the canal tax levied upon them under said ordinances. They claimed that the Legislature could not constitutionally make them stockholders in the Augusta Canal Company as the act of 1845 contemplated, they never having consented to become such; that the city council had no legal authority to raise money by taxation to be expended without the corporate limits whereas the canal was to be constructed from a point called Bull's Sluice, some seven or eight miles from the city; that the canal had not been constructed according to the provisions of the ordinance authorizing it, inasmuch as that ordinance prescribed it should be constructed along the high ground between Jackson and Washington streets, south of the Beaver Dam, whereas the work had been stopped at the street above the upper market, so that owners of real estate in the middle and lower parts of the city were deprived of whatever advantages might result from the construction of the canal; and that council had no right to levy a tax upon one kind of property and not include all taxable property. Complainants prayed that the collection of the canal tax should be enjoined, and Judge Holt, then presiding in Richmond Superior Court, granted an injunction. The city council moved to dissolve the injunction, which motion was granted. Francis H. Cone, the celebrated advocate of Greensboro, represented the complainants, and Hon. Andrew J. Miller appeared for the city. The case was carried to the Supreme Court of Georgia and the judgment of Judge Holt was there affirmed. Judge Warner delivered the opinion. The Supreme Court held that under the broad language of the city's charter, whereby the city council was "vested with full power and authority to make such assessments on the inhabitants of Augusta, or those who hold taxable property within the same, for the safety, benefit, convenience, and advantage of the said city as

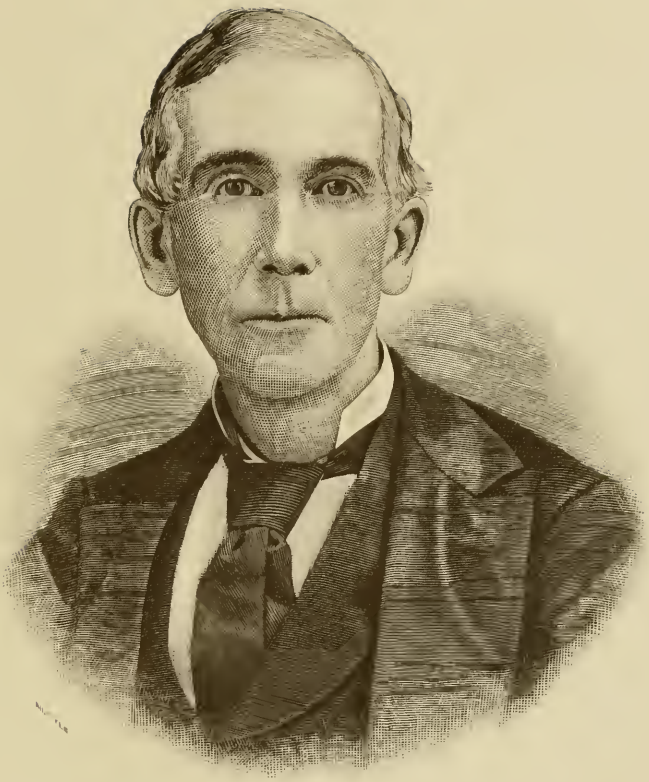
shall appear to them expedient," the council was authorized to construct the canal. If any doubt existed as to its power, the act of the Legislature ratifying and confirming the ordinance providing for the construction of the canal operated as a new and sufficient grant of authority. The authority of the Legislature to pass the act of 1845 was indubitable. As to the argument that the Legislature could not constitutionally make complainants stockholders in the canal without their consent, the court said that the tax was levied on them as citizens, under competent authority. The provision that each taxpayer should receive a certificate of stock in the canal company in proportion to the amount of canal tax paid by him was for the benefit of the taxpayer. It was not compulsory upon him to receive the stock certificate. The objection that the tax was partial as being levied only on real estate, thereby subjecting the owners of that species of property to a burden not imposed on those owning other kinds, though the object of the tax was the benefit of all, was not noticed by the court further than by inference in sustaining the legality of the assessment on the grounds just mentioned.

The canal, as originally constructed, gave six hundred horse-power, but in course of time it became apparent that this was too small for the growing demand. The first device was to raise the banks so as to give a depth of seven feet of water and thus increase the quantity of water, but the additional supply thus obtained was in turn speedily exhausted. It became apparent also that from natural accretion, washing of the water, etc., the water area was lessening by gradual filling up of the waterway, and in 1869 the idea of an enlargement began to take shape. Pending active steps to this end the city and the Augusta Factory purchased a steam dredge, which made some improvement. It soon became manifest, however, that the time for expedients was passed, and steps were taken looking to an enlargement and remodeling of the entire work.

On the 3d of December, 1869, Mayor J. V. H. Allen, in his inaugural address to the council, said: "The question of the enlargement of the Augusta Canal has been respectfully referred to you by your immediate predecessors. They are of the opinion that this public work contains the germ of the future greatness of our city, and needs only to be developed to bring a large increase of industrious population, millions of additional wealth and profitable labor for our poor. I would recommend mature reflection upon the matter, and that we avoid hasty action concerning it. Free and full consultation with our citizens should be held, and their matured views as to the best means for the accomplishment of the work should be ascertained, and only after being assured of the hearty co-operation and consent of our people, and that no embarrassment would result to our finances should we commit ourselves in this behalf." Three months later (April, 1870), he read a special message to the council, showing the benefits to be derived from manufactories, alluding to the fact that the city was threatened with law suits for failure to comply with its water con-

tracts, and urging the council to take the matter of enlargement into careful consideration. The subject was referred to a committee of four, one from each ward. On Friday, April 29, 1870, this committee, consisting of Messrs. Lewis, Bissell, Black, and Walsh, held its first meeting. There were also present several prominent citizens, who were invited to attend and participate in the deliberations. A resolution was passed instructing the mayor to appoint a committee of five citizens to co-operate with the select committee from council, and to report at a subsequent meeting. Under the resolution that the mayor appointed the following committee: Dr. W. H. Tutt, Dr. L. A. Dugas, W. F. Herring, J. T. Bothwell, and Thomas G. Barrett. The movement progressed gradually. The cost of enlargement from the then capacity, fifty feet wide and seven feet deep, to a width of one hundred and fifty feet, and a depth of eleven feet, was estimated at $384,093, and the citizens, then just emerging from the reconstruction period, hesitated to shoulder the burden. In the spring of 1871 Mayor Estes asked for authority to have a survey of the enlargement and an estimate of the cost of the work made. The authority was granted and the survey made by Mr. Olmstead, and on August 7, 1871, the mayor submitted it in a special message to the council. August 21, 1871, the canal committee reported in favor of submitting the question of enlargement to the people, and it was accordingly submitted and adopted by a large majority. The work was commenced in March, 1872, and completed in July, 1875, at a cost of $972,-883.15. Mr. Holley was the engineer in charge, and the enlargement was done under the immediate supervision of Mr. Estes, who was mayor during the entire time.

The dimensions and capacity of the canal are as follows: Length of main canal or first level, 7 miles, and including second and third levels, 9 miles. Minimum waterway, 150 feet at surface, 106 feet at bottom, and 11 feet deep, making an area of cross section of 1,408 square feet. The bulkhead, locks, dam and other structures are composed of stone masonry formed of granite rock, laid up in hydraulic cement mortar, and are of the most substantial character. The area of openings for the supply of the canal amounts to 1,463 square feet, and the entire waters of the Savannah River are made available for maintaining the supply. There are about 275 acres of reservoirs exclusive of the canal proper and the pond above the bulkhead and dam. There is a bottom grade or descent in the main canal of one hundredth of a foot in 100 feet, giving a theoretical mean velocity of two or seventy-four one hundredths feet per second, or a mechanical effect under the minimum fall between the first and third levels, or between the first level and the Savannah River, below Rae's Creek, of upwards of 14,000 horse-powers, theoretically, not including available supply from the surface of the reservoirs. This constitutes a work in width and depth in excess of any similar work in the world, save the Suez Canal. Of the immense power available, 5,700 horse-power is in use on the first level



Chas Estes

and 1,700 on the second — the third being waste water. The fall varies from 33 to 33½ feet on the first and 11 to 9½ on the second level. The entire cost of the work from the first has been about $1,500,000, the enlargement alone costing $972,883.

Mr. Charles Estes, the mayor under whose administration the enlargement was carried on, had from boyhood been familiar with canals, and had supervised the construction of a section of the Genesse Valley Canal, and with untiring energy pushed the work until, in all except length, Augusta had a canal of dimensions equal, if not indeed superior, to the famous Erie Canal.

This enlargement resulted in the establishment of a large number of new factories. The cotton was grown at the mill door, and the mill had cheap and reliable power. In Augusta the relative advantages of the North and South as the location for cotton factories are well demonstrated. We cannot better speak of those advantages than in reproducing the substance of some interviews published a few years ago of some prominent Augusta experts. Mr. Francis Cogin was for many years superintendent of the Augusta Factory, and when asked his experience in regard to the relative advantages of the two sections for cotton manufactories, replied as follows:

"There is no question but that the South possesses vastly superior advanta ges in many ways. We have one of the best climates in the world. The atmosphere has just the proper humidity for manufacturing purposes. Now at the North the air becomes so dry that steam has to be introduced into the weaving room to dampen the atmosphere, so as to prevent the threads from breaking. We never have any such trouble as that here Again, the mills North often have to stop because the water courses are frozen up. This never happens at the South, and we can therefore run uninterruptedly. We can get a plenty of excellent white labor. In fact it is much better than that which the Northern mills now have. It is equal to the "Yankee labor" the Northern mills used to have, but which they don't get now. We can make more yards of cloth per loom than they can, running the same number of hands that they do, and we can, therefore, afford to sell it cheaper. Our water-power is plentiful and cheaper on the average than at the North. They can't begin to compete with us where they use steam. It costs less than six dollars per horse power here for water, while at Fall River, where steam is used, the cost is forty-two dollars per horse-power. It wouldn't pay the Augusta factory, for instance, to use steam instead of water if all the necessary fuel was put down at the factory free. The operatives in the Augusta factory work eleven hours a day. There is a superabundance of white labor here, and we have never had a machine stopped for want of help during the nineteen years I have been with the Augusta factory. If we were to start a mill the same size as ours to-day, we would have sufficient skilled labor in two weeks to run it."

Mr. Cogin's testimony is valuable from his long and intimate acquaintance

with cotton manufacturing North and South, having been engaged in factories both in New Hampshire and Georgia.

The Graniteville Factory, located in South Carolina, a short distance from Augusta, and largely owned by Augusta stockholders, is a very successful institution under the careful management of Mr. H. H. Hickman, of Augusta. His views coincide with those of Mr. Cogin. He says there could be no comparison between the North and South as respects advantages for cotton manufacturing. The South would eventually drive the North out of the market in brown goods, standard sheetings and shirtings. Practically, it was doing it now. The North is building no new mills for the production of these goods. When Northern mills were compelled to sell their goods at cost, he could sell at a fair profit. He had no commissions to pay agents to buy cotton as Northern mills did, because he bought it himself half of it right at the mill. Getting the cotton right here he had, of course, no freight to pay as was the case with the Northern mills, and he was satisfied that he could buy cotton to a better advantage than the agents of those mills; in fact he was assured he made a half a cent a pound that way. He could get a plenty of white labor, and cheaper than Northern mills could. His operatives could live on half the expense of those at the North. The latter used four times as much fuel, at twice the price per cord, while provisions were as cheap here as in Massachusetts.

To sum up therefore, labor was cheaper; second, the operatives can live cheaper; third, he has no commissions to pay to buy cotton; fourth, the larger proportion of goods are sold without paying commission; and, fifth, he can run his mills all the year. The Graniteville Mill has not stopped work two weeks in eleven years on account of water or weather. He finds sale for eighty per cent. of his products at home. He had sold $60,000 worth of goods to Knoxville alone in one year. He has built a new mill at Vancluse with the surplus of the Graniteville Company without calling on the stockholders for a dollar, and will be able to run it at three-fourths the expense in proportion to its size that it costs to run the Graniteville because it is a modern mill, with all the modern improvements. Graniteville is one of the most difficult mills in the country to run because it has been pieced from time to time, and yet people can see how successful it is.

Mr. William C. Sibley, president of the Langley Mills for a number of years after their organization in 1870, says: "I have no difficulty in getting as good and reliable white labor as there is in New England, and who cheerfully work eleven hours a day, and could obtain more if we had any use for them, and many of them are Southern born and have learned their trade in our mill." He thought the South had the best climate for manufacturing, and would challenge any mill in New England to show as great a production of goods per loom and yarn per spindle, on the same style of goods, or a cheaper cost of manufacturing. In brown sheetings, shirtings, and drills the South has com-

peted successfully with New England. Some years since the United States awarded the contract for sheeting needed for Indian supplies to the Langley Mills for three years.

We have already mentioned that in 1845, the same year in which the Legislature incorporated the Augusta Canal Company, a cotton manufacturing company was chartered under the name of "The Augusta Manufacturing Company." Martin M. Dye, John P. King, John Bones, William M. D'Antignac and Amory Sibley were made commissioners to procure subscriptions. The capital stock was fixed at $500,000 in $100 shares, and for the first three days after the opening of the books, of which notice was to be given in the newspapers of Augusta for one week, no one was to be allowed to subscribe for more than one hundred shares. After the expiration of that period the limit was to be removed. At the time of subscribing, the subscriber was to pay to the commissioner a sum to be fixed by them of not less than five nor more than ten per cent. of his subscription. As soon as $50,000 had been paid in the company was authorized to commence business. It was "authorized to manufacture, bleach, dye, print and finish all goods of which cotton or other fibrous materials form a part; also to manufacture flour from wheat or grain of any kind, and all machinery used for such purposes or any other; and may erect such mills or other works as may be necessary to carry on their business." The stockholders were made liable for the debts of the incorporation in proportion to the number of shares of stock held by them, provided the debts did not exceed half the capital stock paid in; if they exceeded that amount, the stockholders were jointly and severally liable for the entire debt. It was further provided that no transfer of stock within six months of a failure of the company should exempt the transferring stockholder from liability; and, further that the proper officers of the company should semi-annually, in April and October, make a return on oath to the governor, of the amount of capital actually employed, with the names of the stockholders and number of shares held by each, and a statement of the condition of the company.

In 1847, or immediately after the completion of the canal, the Augusta Manufacturing Company was organized. As originally constructed, the factory was 218 feet long, 50 feet wide, and five stories high, with 200 looms and 5,280 spindles, turning out 9,000 yards of cloth a day. The pickery was three stories high, and comfortable houses were provided for the operatives. At first the enterprise flourished. In 1849 the home demand exceeded the supply and an increase of spindles to 10,000 was necessitated. The capital stock paid in seems to have been $200,000. The success of this experiment, the first on a large scale, to emulate Northern manufactures, led to an agitation in favor of a second factory, but after a while the opening promise of the company failed to sustain itself. The business began to fall off, and difficulties thickened around it. In 1858 a number of capitalists of Augusta, firmly assured in their own

minds of the ultimate success of cotton manufacturing in the South, and believing that the difficulties environing the Augusta Manufacturing Company arose from causes which they could obviate, associated themselves for the purchase of the corporate property. The price agreed on was $140,000, payable in ten equal annual installments. To provide a commercial capital the new company put in $60,000, and in 1859 obtained from the general assembly an act conferring upon them the charter privileges of the old McBean Company. The purpose in so doing was evidently to obtain a greater freedom of corporate action than was possible under the Augusta Company's charter. As will be borne in mind, the McBean Company was incorporated in 1850 for the purpose of engaging on the waters of McBean Creek, "in the manufacture of various fabrics composed of cotton or wool, or both; also for working in wood or iron, or other metal, and for operating a grist-mill and saw-mill." The charter did not contain the personal liability clause found in the charter of the Augusta Manufacturing Company, nor the requirement of semi-annual reports to the governor.

The act of 1859 provided "that from and immediately after the passage of this act, James Hope, William E. Jackson, and their present associates in the manufacturing business, to wit: James Hope, Artemus Gould, and Joseph E. Fargo, as executors of the last will and testament of George M. Newton, deceased, Henry H. Cumming, William M. D'Antignac, Lambeth Hopkins, Edward Thomas, Germain T. Dortic, Thomas Barrett, Benjamin H. Warren, William A. Beall, George W. Evans, and Charles J. Jenkins, and their successors, be and they are hereby authorized to conduct their manufacturing operations under the charter of the McBean Company within the limits of the city of Augusta, in said State, and that their corporate name be, and is hereby changed to that of the Augusta Factory."

The Augusta Factory was therefore established in an unique way, namely, with the stockholders and equipment of the Augusta Manufacturing Company, with the charter of the McBean Company, and with a new name different from the corporate style of either one of those companies.

On the re-organization in 1858 Mr. William E. Jackson was made president of the factory, and held that position uninterruptedly until his death in 1882. From the first the Augusta Factory was a success. The $60,000 paid in as a commercial capital by Mr. Jackson and his associates named in the act, was all they were ever called upon to pay. The purchase money of $140,000 was paid out of the profits. In 1865 a stock dividend of 200 per cent. was declared, increasing the capital stock from $200,000 to $600,000, and for a number of years a quarterly dividend of five per cent., or 20 per cent. per annum, was regularly declared and paid. The financial stress of 1873 and several succeeding years injuriously affected the dividends, but from 1865 to 1876 dividends in an amount equal to 198 per cent. on the capital stock, or 18 per cent.

per annum, were paid the stockholders, whilst investments in real estate, new buildings and new machinery were made in the sum of $460,000. All this without the sale of new stock or a call on the stockholders. From the 1st of July, 1865, to the 1st of July, 1880, inclusive, the dividends actually paid to stockholders aggregated $1,470,000, or 234½ per cent. on the stock of $600,000 in sixteen years, which is an average of 14⅔ per cent. per annum. In addition to this, out of the earnings the buildings have been twice enlarged, immense quantities of new machinery bought, and long rows of operatives' houses built of brick, at a cost of $460,000, so that now the factory, with its real estate, is valued at $1,000,000, while a surplus of over a quarter of a million stands on the credit side of profit and loss.

It has been sometimes said that the success of the Augusta Factory has been due to a combination of peculiarly favorable circumstances. In the first place the new management obtained at a cost of $140,000, on very long time, an immense amount of valuable real estate, and buildings and machinery in good order, which must have cost at least a quarter of a million dollars. Then the new management had scarcely taken hold before the war broke out. Cotton goods at once rose enormously in price, and a ready market was offered for every yard that could be produced the instant it left the loom. The currency became highly inflated and out of this currency the factory was readily enabled to pay the purchase money in full, without waiting the times of the installments. While there is truth in all this, it is also true that the capitalists and business men of Augusta did not attribute the success of the factory to these peculiar and abnormal conditions. It was and is felt that the real cause was the natural adaptability of the city to cotton manufacturing operations. The success of the factory continued unabated after the war. It continued to sell every yard and to pay its regular quarterly five per cent. dividend long after the war, and while with the increased number of mills its profits was not what they were, it is still a solid and prosperous institution. The present value of the factory, with real estate, is $1,000,000. The following figures relating to the mill, and showing its large scale of operations, will be of interest: Capital stock, $600,000; bonded debt, $200,000; number of hands employed, 700; average pay roll, $170,000 annually; average consumption of cotton, 13,000 bales; number of looms, 800; spindles, 26,000; average pieces made, 315,000; average yards, 15,000,000; average yearly product, $1,000,000.

The next cotton-mill was The Enterprise Factory. Before 1873 the site of the present mammoth Enterprise Cotton Factory was a small old stone mill, which had long reposed on the old canal, and ground for its neighbors its slender lots of flour and meal. Following the widespread financial paralysis of 1873 the construction of this Enterprise Factory—most fitly named—was at once a gallant rally from the depression of a panic, and for the city the first utilization of her enlarged canal and water power. It was the evoking from

disaster a vital cotton factory of 14,000 spindles, using annually 6,500 bales. In February, 1881, it was resolved to increase the capacity of the mill. The capital was enlarged to $500,000, the spindles increased to 30,000, and the looms to 640. In the latter part of 1882 the work was done, and the finished factory stood ready for the operatives. The cost of this great establisment, over 500 feet in length, was the astonishingly low figure of only $660,000. There are several marked advantages in the construction and operation of this superb cotton-mill. It extends from south to north, and thus gets the benefit of the earliest and latest sunlight, saving gaslight morning and evening—a matter of economy and comfort. The wheels of the factory are located in the center, affording a better distribution of power over the establishment. The goods manufactured are four yards to the pound, instead of three to the pound as is the general practice of our Southern mills. The yarn is 18 to 20, instead of 12 to 14 as is customary. This is the finest cloth made in the South, and being an exceptional grade and excellence of goods, finds a readier market. Another especial advantage is that the looms are made for yard wide goods, but can be changed to manufacture narrower goods if desirable, and thus can vary the product to suit any demand.

For the fiscal year 1884 the figures of this mill were: Average number hands, 466; average number of looms running, 573½; average number of yards a day made, 31,295; average number of yards per loom, 54$\frac{66}{100}$; production, all 4-4 goods, 9,670,160 yards; production, pieces, 192,332; production, pounds, 2,500,311; cotton bales consumed, 6,312. The present figures are, hands, 412; spindles 31,000; production, 10,803,809 yards of cloth, and 67,-881 pounds No 18 and 19 yarn; consumption of cotton, 6,593 bales, 3,106,401 pounds.

The Sibley Manufacturing Company was organized May 26, 1880. This factory stands next above the John P. King mill, on the canal, and occupies the site of the old Confederate powder-mills, the lofty chimney of which still stands as a memorial obelisk of its former use. The structure is 532 feet long, 76 feet wide, with a picker-house separate, 164 feet, and furnished throughout with automatic sprinklers and the electric light. The motive power is gained from two large turbine wheels, each of which furnishes six hundred and fifty horse-power, thirty-three and one half feet fall being applied to the wheels. The machinery includes 35,136 spindles, 880 looms, equal to about 1,000 plain looms, of which 224 are for colored and 650 are for plain work, the former being of the Crompton and Bridleburg pattern, the remainder the Lowell, varying in width from thirty to sixty-four inches Also a fine dye-house and a full plant of the most approved machinery for reeling, dying, winding etc., for colored warps. The goods manufactured include checks, chevoits, plaids, ticking, convict stripes, and cottonades, awning stripes, sheeting, drills, and ducks, convict drills, and kersey. The value of the annual product of the Sibley is al-

ready $1,100,000. Eight hundred hands are employed at $196,000 annually, and 13,000 bales of cotton are consumed.

The John P. King Manufacturing Company was organized in 1882, with Hon. Charles Estes at its head. When this enterprise was inaugurated there were those who doubted whether the mill would ever be built, but with Mr. Charles Estes, to whom, by universal consent, the work of organizing the company was intrusted, there is no such word as fail, and in an incredibly short space of time the John P. King Manufacturing Company was an accomplished fact. The majority of the stock was secured in Augusta and the balance in Northern cities, and in a few months the King Mill lifted its walls along that canal which is another monument to Mr. Estes's judgment and foresight. The King Mill stands to-day one of the most perfect cotton factories in all its details in the United States. It is four stories high, 453 feet long, and 76 feet wide, a splendidly proportioned building, admired and commended by every architect and manufacturer who has seen it. The precautions against fire and the facilities for extinguishing it are such that the danger from this source is reduced to the smallest minimum. All the machinery is of the most improved description, and it was bought with the greatest advantage to the company. It is a noteworthy fact that the actual cost of the mill and machinery was within the original estimate; something that doesn't often occur. The capital stock of the King Mill is $1,000,000 and its capacity is 26,500 spindles. The first bobbin of yarn was spun October 18, 1883. Capitalized in $1,000,000, the King is situated just east of the Sibley Mill, 454 feet long, 76 feet wide and four stories high. Brick and wooden houses are provided for operatives, and the Augusta and Knoxville Railroad runs immediately in its rear. Manufacturing was fairly commenced in the latter part of 1883, and has continued uninterrupted and successfully ever since. The product consists of sheeting, shirting and drills in 7-8 and 4-4 goods, which are of the best quality, and have already achieved an excellent reputation on the market. Six hundred hands are employed, and the pay roll averages $130,000 per year; 96,500 spindles and 880 looms are operated, and a total of 10,000 bales of cotton consumed annually, turning out a product of about 15,600,000 yards a year.

The Riverside Mills, located picturesquely upon the Savannah River, at the foot of Eleventh (Kollock) street, and on Bay, between Marbury and Tatnall streets, holds a peculiarly prominent, valuable and exceptional position in our suberb cotton-mill system of Augusta. It affords an opportunity for utilizing in a convenient way the waste of our galaxy of large cotton factories, and thus fills a momentous place among our industries.

Some twenty years ago, in 1869, Mr. Charles W. Simmons did a small business in waste, corner Kollock and Ellis streets. Mr. Simmons then built a waste factory, corner of Cumming and Bay streets, in 1872, which was burned down in 1875. In 1876 he built the nucleus of the present splendid establish-

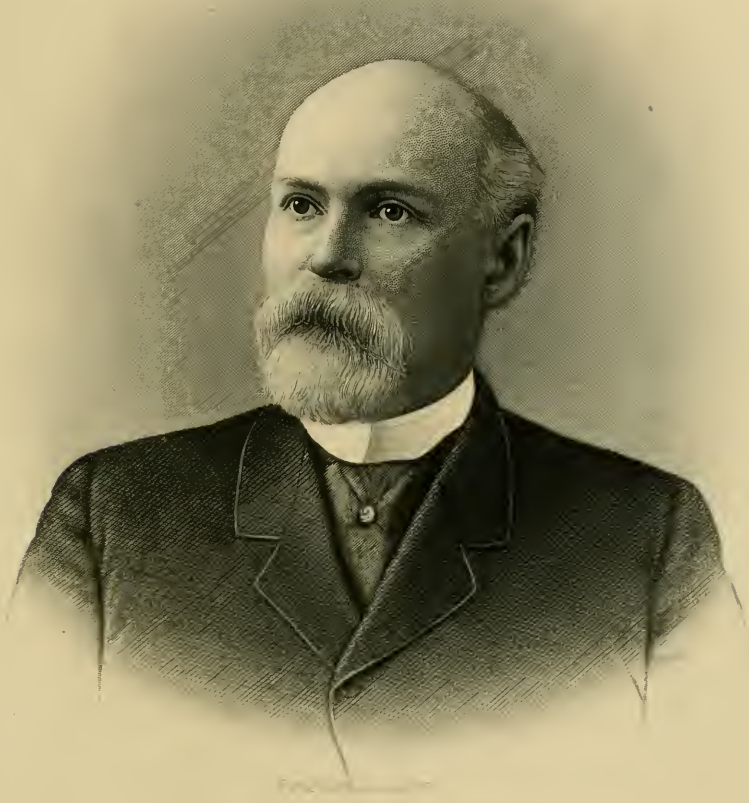
ment, the lower section of the factory, 117 by 74 feet, in which he made only waste and batting. He failed in the latter part of 1878. This factory was called Riverside Factory. Mr. W. E. McCoy bought out the establishment early in 1879, and has been the creative spirit of this useful enterprise. He added a yarn mill, 80 by 70 feet, three stories high, and a picker room 60 by 30 feet, two stories. In October, 1881, he organized a stock company, and put the enterprise upon a large basis, changing the name to the Riverside Mills. He immediately added 105 feet to the main building, and constructed an engine and boiler-room 80 by 24 feet. In 1883 he enlarged the main structure by an addition 40 by 36 feet. The mill is now a large and thoroughly organized, well conducted and profitable establishment. It is run by steam. It has a Harris-Corliss engine of 250 horse-power. It consumes 200,000 pounds weekly, or 10,400,000 yearly. Its capital stock is $200,000; hands employed, 250; annual wages, $56,640; yearly product, $414,284. The articles produced are cotton waste for wiping machinery and packing boxes, journals, etc., paper stock, cotton batting of all grades, hosiery yarn, cotton rope and pieced bagging.

The Warwick is a new name for an old mill—the Shamrock that was. The mill has passed into new hands, and is splendidly equipped in every way. It was built in March, 1882, at the head of Lake Olmstead, at a point known as Rae's Creek, and is furthest up the canal of the mills. It has 2,500 spindles and 1,000 twisted spindles. The mill is a one-story brick building, employs fifty hands, and the annual output is 180,000 pounds. They manufacture only 20's to 40's, 1, 2, 3 and 4 ply. In the addition to the manufacture of fine yarns, connected with the Warwick mills is a roller covering shop, which does an extensive business, covering 200,000 spindles, and is patronized by the largest mills in the South.

The Algernon is one of the best equipped yarn mills in Augusta. The building is three stories high of brick, with metal roof, 200 x 50 feet, with dye-house, picker-house and boiler house, all complete. The mill operates 4,410 spindles and 150 looms, and employs 160 hands. It manufactures check plaids, seersuckers, wrapping twine and cotton rope. The yearly product is 234,000 yards of cloth, 143,000 pounds of rope and twine, valued at $213,823. The annual pay roll is $46,148. The mill has just completed a large brick metal roof, one-story building, to be used for office, dyeing and storing purposes—size 115 x 35. The company owns its operatives' dwellings, which are occupied solely by its employees.

Situate on one of the most eligible sites on the canal is the Globe Mills. They manufacture yarns, etc., run 4,600 spindles, and employ 80 hands. The value of their annual product is $125,000, and they pay out in wages from $15,000 to $20,000 annually, and consume about 25,000 bales of cotton.

The Dartmouth, the youngest of the mills, was built in 1887. The build-



ing is a three-story brick building, 200 x 70. In the upper story 9,100 spindles are at work, one pair of mules, spooling machine and twister. Everything in the mill is complete, the machinery being selected from the best of a number of mills. It pays out in wages annually about $25,000, and employs one hundred hands. The mill is valued at $150,000, and the annual product is in the neighborhood of $150,000. It manufactures yarns alone, numbering from eight to twenty-six.

This long list of flourishing mills is the work of the past ten years, and is largely due to the Augusta Factory. During all the period of depression from 1873 to 1878 it manufactured cotton goods profitably, to say nothing of the large profits made before and since that time, while Eastern mills did not make profits during that period of depression.

We call attention to the results achieved by the Augusta Factory during the memorable years of the panic—1873 to 1878, inclusive. In the studying this table, which is correct to a cent, the reader should bear in mind that some of the best established Northern mills were forced to suspend during this period.

WORK OF THE AUGUSTA FACTORY FOR FIVE YEARS — BEGINNING JUNE 7, 1873, AND ENDING JUNE 15, 1878.

YEAR ENDING.	Gross Earnings.	Dividends. Declared and Paid.	Bales of Cotton Consumed.	Aggregate Cost per Pound	Aggregate Wages Paid.	Aggregate Sales Made.
June 20, 1874.....	$119,069 10	$108,000	6,469	15.21	$162,757 54	$761,767 13
June 19, 1875.....	56,068 10	36,000	7.150	14.84	97,864 41	606,651 34
June 17, 1876.....	104.424 09	48,000	10,460	12.11	180,177 04	924,848 35
June 14, 1877.....	116,328 28	36,000	11,177	10.49	162,957 44	870.518 70
June 15, 1878.....	130,647 77	48,000	11,819	10.02	162,090 38	885,033 41
	$526,837 80	$276,000	47,075		$766,146 81	$3,948,918 93

The dividends paid during this period equaled 4 per cent. of the capital stock, ($600,000), or average of 9.510 per cent. per annum.

The Graniteville and Vaucluse Mills, while located in South Carolina, are not far from Augusta, and are generally mentioned among the Augusta mills, so large a portion of the capital involved and so many of the gentlemen interested in their management belonging to Augusta. In reality while there are two separate establishments, both are one property, the Vaucluse being simply a new plant belonging to, and built out of the earnings of, the Graniteville. The history of this mill puts in a strong light the adaptability of the South to cotton manufacturing.

In 1847 the Graniteville Mill was built at a cost of $375,000. Additions were made to it and the capital stock increased until in the year 1867 the capital stock had been swelled to $716,000, the shares had fallen in value to $62.50, and the company owed $50,000 debt. The mill was run down, the stock depreciated and the industry languishing. It was in this bad condition in 1867

when Colonel H. H. Hickman was elected president of the company, starting it on an unparalleled career of recuperation and prosperity. His work was marvelous. He put the enterprise upon its feet. He infused new life into its management. He cut down expenses, increased its business, regulated its operations, handled it with vigor and skill, and gave it a bouyant financial vitality.

First. He restored the depreciated stock to its proper value.

Second. He canceled $116,000 of the capital shares, buying them up at a cost of $162,000 their enhanced value under his management, and thus permanently reduced the interest-bearing stock of the company from $716,000 to $600,000, its present amount.

Third. Five years ago, out of the surplus of the earnings, he built a new factory, the Vaucluse Mill, at a cost of $361,513.24, without calling for one additional dollar of assessment from the stockholders, and added this income-producing property to the value of the original $600,000 of stock.

Fourth. He has now a cash surplus in reserve of $220,831.86, which added to the $361,513.24 put into the Vaucluse Mill, makes the regal amount of $582,345.10 that he has created and put on to the property of the company, as a test of his thrift, skill and enterprise as a cotton-mill manager.

Fifth. He has in addition to these splendid betterments and accumulations, running over half a million dollars, paid regularly a ten per cent. dividend to the stockholders.

Sixth. He increased the production of the original Graniteville Mill just double, swelling it from 240,000 yards every fortnight to 480,000. The two mills now present the following condition of strength:

Capital stock	$ 600,000
PROPERTY REPRESENTED.	
Graniteville Mill and 8,000 acres land	$ 600,000
Vaucluse Mill and 2,000 acres land	400,000
	$1,000,000
(This includes 350 operatives' houses, and eight storehouses for rent.)	
Graniteville Mill, spindles	23,600
Vaucluse Mill, spindles	10,000
Total spindles	33,600
Graniteville Mill, looms	590
Vaucluse Mill, looms	312
Total looms	902
Hands	750

PRODUCTION.

	Bales.	Pounds.
Graniteville Mill	9,315	4,191,583
Vaucluse Mill	3,723	1,675,211
Total used yearly	13,038	5,866,794

	Pounds Cloth.	Yards.
Graniteville Mill	3,563,837	11,183,835
Vaucluse Mill	1,423,926	5,264,500
Total	4,987,763	16,448,335

GROSS PROFITS.

Graniteville Mill	$ 82,724.69
Vaucluse Mill	37,131.31
Total profits	$120,856.00
Net profits	80,701.71

Net profits, 13½ per cent. on $600,000 capital. The mills manufacture 3-4 C. shirting, 7-8 R. R. shirting. 4-4 E. E. sheeting, 7-8 brown drills, 4-4 A. A. sheetings, 4-4 L. L. sheetings, S. S. brown drills, and flour sacks and grain bags.

On April 3, 1885, the owners of Southern and Southwestern cotton-mills met in Augusta and organized the Southern and Western Manufacturing Association, and Mr. Hickman, president of the Graniteville Mills, was made its presiding officer.

The building of the mills had, as might be expected, a marked effect on the population of Augusta, and the disbursement of nearly a million dollars a year in wages has been of great benefit to the trade of the city. It has been found that the concentration of a factory population has not been injurious to the health of the operatives. The only contest between capital and labor occurred in 1886, when upon a strike at one of the factories, all the others combined in a "lock-out." Both sides remained obstinate from June to November, when mutual interests happily brought about a reconciliation.

Prominent among the manufacturing interests of the city is the Georgia Chemical Works, organized May 5, 1877, with a paid up capital of $200,000. The manufacture of fertilizers, the specialty of this company, began in December, 1877, and the works have been in constant operation ever since their establishment, the demand for their fertilizers becoming so great as to require an enlargement of the works to nearly double their former capacity, increasing it from 10,000 to 17,000 tons per annum. The manufactory proper is a huge building, three and a half stories high, 130 feet long and sixty feet wide, its tall chimney being 114 feet high. It is supplied with an elegant 100 horse-power engine and the best machinery. The acid chambers are the most interesting and expensive portion of the works. These are lined with lead, in order to resist the action of the sulphuric acid used in the reduction of the ground phosphate rock and bones, the principal ingredients of the fertilizer. The lining of each chamber weighs 120,000 pounds or sixty tons. Two new chambers have been recently added, one of which is 106 feet long, 37 feet wide and 22 feet high; the other being 32 feet long, 32 feet wide and 25 feet high. The building containing the acid chambers is seventy feet high. On the first floor of this build-

ing is the furnace for burning the sulphur in the preparation of the acid. In the manufacture of their fertilizers the company use sulphur from Sicily, potash salts from Germany, phosphate rock from the West Indies and South Carolina, bone and other animal matter from the slaughter-houses of the North, West, and South, fish from the Virginia coast, and nitrate of soda from South America. The process, in brief, is as follows: The phosphate rock is crushed by a powerful crusher, then ground into a fine powder by burr mills, and is then carried to the third floor by machinery, where it is weighed into the mixer. The bones are crushed by separate machinery, ground into a fine powder on the third floor, and go into the mixer. The mixer holds one ton of fertilizer, every ingredient being carefully weighed before going into it. From the mixer it falls to the second floor where it is subjected to the action of the acid and dries. The disintegrator and screw finish the work. The grounds occupied by the works consist of twenty acres. There are also several large warehouses, four new ones having just been built and one being in contemplation. The largest of these new warehouses is 200 x 50 feet, two others being 150x50 feet, and the smallest being 100 x 50 feet. Two railways carry material to and the products from the works. The products of these works are the Mastodon Guano, Grain Fertilizer, Lowe's Georgia Formula, Dissolved Bone Potash and Acid Phosphate. These products have already acquired a widespread reputation. This company also import and sell all kinds of fertilizing ingredients. This company also import all of their material by the cargo. Their phosphate rock they bring from the Navassa Islands in the Caribbean Sea; their nitrate of soda they buy from Peru and Chili; genuine Leopoldshall Kainit comes from Germany; the sulphur direct to their chamber from Mount Vesuvius; dried blood, they bargain for at Western slaughter-houses, and bone drifts into their mills by the carload from every section; all of these important and costly ingredients go to make up one of the finest fertilizers manufactured, adapted to every crop, and suited, by different brands made, of different quality, to every kind of soil. No dirt or foreign substance is put into these compounds to fill up in bulk or weight, the base of the fertilizer is dissolved bone-phosphate in every instance. The original capacity of the works was 10,000 tons of commercial fertilizer. Since then the capacity of these successful works has been nearly doubled, and they can now mannfacture 18,000 tons of fertilizer.

The success of this enterprise has been based on the idea of manufacturing a fertilizer suited to the soil on which it is to be used. For some ten or twelve years prior to the organization of the works the progress of Southern planting had been marked by the general introduction and intelligent use of commercial fertilizers. The adoption of artificial stimulants for the soil did not spring from unnatural causes any more than their continuance has led to unprofitable methods of farming. The acceptance and use by Southern planters of prepared

guanos was necessitated by the demands of the soil. For generations the lands of this section had been worked upon their own resources and drained of the best elements of plant food. Season after season the most exacting crops have been gathered from these fields, and so exhausting had been the cultivation of *ante bellum* days, that even the most skillful rotation of crops would not have built up the worn out lands. Thousands of acres were being deserted or allowed to lie fallow, while much time and labor were being sacrificed to prepare new lands for cotton. Another cause contributed to the adoption of some method of recuperation for old lands or of securing continued productiveness on the new. Labor, after the war closed, was neither as plentiful nor as reliable as before. The land cultivated by the cotton planter, although reduced in area, had to bring the same returns as the liberal acreage and diffusive methods had before commanded. Every acre then had to be doubly productive at least.

Such was the planting status of the South. The utilization of good stable manure or of home-made fertilizers, so far as they went, were wise expedients. Obviously, though, no farmer could make enough by home composting, raking or scraping, for all his worn out lands. Stock could not be kept for this purpose alone, else the stables be as expensive as the stalls of Lorillard; and the preparation of home fertilizers could not be made as simple or as complete as would have justified its employment in the planting economy of the South. What, then, was to be done? The planter recognized that he must draw elsewhere for those factors of plant-food which his crops had been annually carrying off and which he had not the resources to replace. Such, then, was the time and such the season for the introduction and use of commercial fertilizers, the tonnage of which, year by year has been increasing over our railroad lines, and the use of which, despite various abuses and impositions of importers and dealers, is enlarging with the pitching of every crop. That the farmer has had much to contend against in the past use of commercial fertilizers, cannot be denied. The first shipments were concentrated articles from foreign shores or Northern factories, mixed up with acids and bone dust, high priced and intense, and no more adapted to the needs of the Southern farmer's lands than to the lining of these farmers' pockets. These guanos, made upon theoretical formula, and mixed upon general principles, could not be entirely satisfactory. They supplied articles in excess which were not needed, and left out constituents which were very important. They were sacked indiscriminately for use in New York, New Jersey and the tobacco lands of Virginia, the wheat lands of Ohio, the black loams of Mississippi, the clay lands of Alabama and Georgia, or the swamp bottoms of Florida and the Carolinas. Such planting processes could not hold their own, and when the farmer found himself taxed heavily to pay for these homogeneous failures his condition seemed nearly as deplorable as first. But even this difficulty was destined to be met. It occurred

to Mr. George W. Graflin, of Baltimore, and General M. Stovall, of Augusta, in 1875, that a home-made and a home adapted fertilizer was what the farmers of Alabama, Georgia and the Carolinas needed. To supply this the works were established, and by their success have vindicated the foresight of their founders.

Nearly sixty years ago the first ice company in Augusta was incorporated. Augustine Slaughter, William M. Rowland, Charles Labuzan, Joseph Wheeler, John C. Holcomb, and George W. Butler were incorporated in 1832 as the Augusta Ice Company. No capital stock was named and the act gives no hint as to the *modus operandi* of the company.

In 1837 the Jackson Street Ice Company was incorporated. The preamble of the act states that the persons thereinafter named had "formed an association for the purpose of supplying the inhabitants of the city of Augusta with ice." The capital stock was $10,000, in shares of $50 each. The corporators were Noah Smith, Oswell E. Carmichael, Kerrs & Hope, Benjamin W. Force, Lewis D. Ford, Martin Frederick, Thomas J. Walton, Samuel Clarke, Samuel Hale, John G. Winter, Robert D. Hamlen, Kitchen & Robertson, Peter Golley, Isaac Henry, Snowden & Shear, Pleasant Stovall, F. Lamback & Co, Elisha Foster, Noah B. Cloud, Albert W. Smith, J. S. Clarke, Sacker P. Turpin, Thomas Richards, Hubbell W. Risley, Thomas H. Plant, Augustus B. Longstreet, Augustine Frederick, John V. Cowling, George M. Thew, Isaac Moise, James Frazer, John Moore, Benjamin B. Kirtland, Frederick A. Morgan, John J. Jones, Benjamin Sims, and B. L. Nehr.

The business of these early companies was doubtless the importation and sale of natural ice from the North, but during the war, when that means of supply was cut off, necessity, the mother of invention, led to the manufacture of artificial ice in the city, and by 1864 a factory on a small scale was in active operation. The works were on Greene street, near Wilde or Forsyth streets, and were managed by Major I. P. Girardey. The product was exclusively devoted to the hospitals and the sick, and would doubtless be now derided as a very poor article of manufacture. In those days it was priceless. It was veritable ice, and carried comfort to many a fevered bed-side and to many a wounded soldier. The ice was made in cylinders about two feet long and from five to six inches in diameter. The chemical agents used were not strong enough to convert the entire cylinder into a solid block, and it came out in the shape of a pipe about an inch and a half thick. Probably not more than 500 or 600 pounds were made per day, and in fact the manufacture was not carried on with much regularity. The time chosen was late in the afternoon, and then the few cylinders were eagerly seized and carried off. Lucky was the well person who could manage to secure a piece three or four inches long. This primitive ice was only semi-transparent.

Now two ice companies, the Polar Ice Company and the Augusta Ice Company, do a flourishing business, turning out huge blocks as clear as crystal at

a rate which supplies the city and has cut off the importation of the Northern article. The Polar Ice Company was organized in 1888, and the Augusta Company in 1887.

As early as 1850 an effort was made to utilize the Augusta Canal for the manufacture of machinery. In that year William M. D'Antignac, John M. Adams, Lambeth Hopkins, James M. Poe, and William H. Turpin, jr., were incorporated as the Augusta Machine Works, "for the purpose of manufacturing agricultural implements, cotton, wool, and the machinery necessary for the fabrication thereof, locomotives, etc." The act states that the works were to be operated by water power, and that a site had already been secured.

The works of this company operated in a small way for a number of years, and about twenty years ago fell into the hands of George R. Lombard & Co., who have made them an immense establishment. The shops are among the largest and best equipped in the South. Everything in a mechanical way, for use or ornament is turned out, from the finest, most delicate and intricate factory work to the heaviest railroad material. More saw-mill work is done here than at any point in the South. Gin ribs and gear, never heretofore made in this section, are manufactured, as also many classes of fine work heretofore ordered from the North. The work for the Augusta, Langley, Graniteville, Enterprise, and Jewell's factories, for the Georgia and Port Royal Railroads, for the Georgia Chemical Works, and the Augusta Flour Mills is done here. An immense variety of machines is kept, among them some of the finest in the South. Connected with the shops is a foundry. The iron ore is brought from North Georgia, and is considered as pure as any in the world. About 3,000 pounds of castings per day are made. Bed plates of 6,000 pounds weight have been cast, but one of 10,000 can be made. The assortment of patterns in this foundry is said to be one of the finest in the United States, and the railing work is quite celebrated for neatness. There is also a boiler shop, where boilers are repaired or built.

The Pendleton Machine Works, managed by Charles F. Lombard, have been in operation since 1865, and manufacture steam engines, brass work, piping, turbine wheels, agricultural machines, gins, gearing, belting, and a large variety of mechanical appliances. Both these establishments use the water-power of the Augusta Canal.

Close by the Augusta Factory are the Augusta Flouring Mills, with an annual capacity of 50,000 barrels of flour, and 200,000 bushels of meal. Among the established manufactures of Augusta of honorable age, highest repute, and admitted excellence are the Excelsior Flour Mills, a strong five-story structure located on the second level of the Augusta Canal. The mills were built in the year 1859 on an extensive plan. They ran upon the old stone system, making 200 barrels of flour a day until the year 1881, when the patent roller process, so extensively used in the North and West was adopted. The mills use

seventeen sets of the new rollers, and turn out from 200 to 250 barrels of flour a day.

The Perkins Manufacturing Company and Jesse Thompson & Co., do an immense lumber business. The former employs 500 men, pays out $150,000 annually in wages, and sells 16,000,000 feet of lumber every year. It has mills in Burke and Screven counties which supply it with lumber transported over its own railroad to the line of the Central Railroad, and thence to Augusta. Jesse Thompson & Co. have large saw-mills at Midville, Ga., which are constantly at work turning out lumber for this market from the best pine timber that the State affords. This lumber is brought to Augusta by long train-loads to meet the constant demand for doors, sash, blinds, moldings, brackets, newels, balusters and similar articles.

For nearly forty years Augusta has turned out a brick acknowledged to be superior to anything made south of the Potomac. The main establishment known as the old Delaigle brick-yard is situate upon the southeastern border of the city, being a broad expanse of land, bounded on the west by the Central Railroad, east by the Georgia Chemical Works, South Boundary street and the Port Royal Railroad track. There are worked within these yards three steam revolving brick-makers, which are fed with finely prepared clay, which is obtained in richness and profusion. Indeed so inexhaustible is the supply that for several generations to come ample material will be afforded to run these works. The brick are evenly and substantially shaped in this steam press, and automatically turned out at the rate of sixty a minute. They are then carted away upon smooth platforms and piled up in the sun to dry. After three or four days these brick, which are of yellowish tint and moderate degree of hardness, are skillfully arranged in intersticial layers within the great kilns, which are fired from beneath, and this enclosed, is allowed to burn for seven days, then cooled down, and the strong, well-tempered, we may say, red fire-bricks, are ready for shipment. Several furnaces, or kilns, are in use, which alternate, the one being fired up while another is in use or cooling down.

It is well known that Augusta-made brick are the finest and best manufactured south of the Potomac; and these yards furnish two-thirds of the brick used in Augusta in private and public buildings, not including the factories; they supply the cities of Charleston, Savannah and Atlanta, and all intermediate points. Visitors to Atlanta have only to notice the fine business block between the Kimball and Markham Houses, opposite the Union Depot; the magnificent new store of Moore & Marsh, and the rising walls of the new City Hall, to detect the fine brick of the great Augusta manufactory. These yards employ 150 men and turn out about 15,000,000 brick a year.

Outside of the main interests which have been mentioned there are many minor manufactories, the total manufacturing capital being $8,000,000, of which amount $5,525,000 is in cotton.

Isaac Thompson

Augusta is emphatically a cotton town, and destined to be even a more important center for the staple than it is now. The increased receipts year by year are a notable feature. This increase is not caused, as in many other markets, by any extension of railroads or by much increased facilities of transportation. On the contrary, some of the cotton which formerly came to this market was diverted by unjust railroad rates, obtainable in the northwestern and western portions of the State; not only on direct shipments north and east, but even to the South Atlantic sea-ports. The increase is due mainly to the admirably intelligent progress made by a majority of the planters.

First. By a more universal and more discriminating use of fertilizers, wherein happily home-made composts and manures are assuming a larger proportion every year.

Second. By the more general distribution of labor, through the slow and gradual, but, therefore, the more certain extension of the small farm system, naturally producing a more thorough and careful cultivation.

Third. The energetic and determined efforts the planters make to save the crops earlier, of which fact the picking of the last crop was an astonishing proof.

Fourth. The enterprising introduction of all improved agricultural implements.

We venture to say, without fear of contradiction, that in no section of the cotton belt has agricultural science made greater progress than in this section of the State of Georgia, of which no further proof is needed than, that, while before the war the average production was about one bale to $4\frac{1}{2}$ acres, now $2\frac{1}{2}$ acres produce the same amount of cotton. The destination of cotton from Augusta points to almost every market in the world.

Some years since the destination of the year's receipts was ascertained and the same substantially obtains now save as to the mill demand. The figures were: To mills north and east, 44,000 bales; to foreign ports direct, mainly to Liverpool, Havre and Bremen, 72,000 bales; to Savannah and Charleston, on account of exporters' orders, and free on board, 54,000 bales; to cotton mills in and about Augusta, 35,000 bales; total, 205,000 bales.

Of the cotton sent to foreign ports, large quantities are on orders received from spinners direct in all parts of Europe, including England, France, Germany, Spain, Italy, Austria and Russia, through agencies established by exporters in the leading ports. The home demand for mills is largely over double figures above given.

We have already spoken of the great progress of this section in cotton culture, and must now speak of the quality and handling of the cotton sold in Augusta. In no part of the cotton belt do planters use more perfect gins and presses than in the one we are treating of, it being seemingly the ambition of all to possess the best. Small sized gins, driven by mule or horse-power, are

being discarded, and the general tendency is to use larger gins, driven by steam or water-power. The natural result is a greater uniformity and smoothness of the staple, making it far more desirable for spinning than under the former method, when the movement of the gin was jerky and uneven. By this means cotton is ginned more rapidly, as well, and the early movement of the crop is promoted. The quality of our staple is excellent, and is being constantly enhanced by improved seed, and the enrichment of the lands by manures. Though, perhaps, not as strong and wiry as the staple produced in the Mississippi Valley, or in parts of Alabama, Louisiana and Texas, it is usually brighter, smoother, decidedly cleaner, and much freer from leaf. Many a spinner, who prefers the so-called western staple for its strength, buys the handsome cottons we can send them to mix with it, and thereby secure a color and brightness of the goods which western cottons do not give. And experience has demonstrated that owing to the more perfect handling of our cottons, their superior ginning and cleanliness, there is no more wastage in our cottons than in the average run of western cottons.

That this city is the best inland cotton center in the United States is due to a variety of favoring causes in addition to those just mentioned. Some we may state. First, her factors guarantee prompt sales and settlements. The rule among our cotton men differing from the methods of procedure in all inland markets and at the ports, in that cotton sales are for cash, enabling the factor to settle at once with the planter, and at the same time rendering all transactions perfectly safe. It is a fact worthy of note that no planter can get his money in Charleston or Savannah for several days after effecting a sale.

The influences which combine to create the demand for cotton in Augusta, and which in every month throughout the year uphold a strong tone in the market and a stiff quotation in prices, putting us within a small fraction of the coast during the regular cotton season, and advancing us beyond the ports the rest of the time, are peculiar to Augusta and are of paramount value.

In the first place, then, in common with all other markets, we are open for orders from Northern mills, and have buyers here who have been years in the business; are well known to all the prominent spinners north, and are energetic to bring to this market orders for cotton. Cotton is purchased in Augusta for New England spinners, and the advantage of this market will not be ignored in this respect. Connected with this interest are buyers who fill orders for exports located at the ports and various points.

But the cotton market here is not solely dependent upon these agencies. Ten years back cotton houses in this city opened correspondence with foreign markets direct. The result was that our advantages were readily recognized and there is now a large market for direct export to Europe. Half a dozen houses here have correspondence with Europe, and fill orders for spinners in Great Britain, Russia, Italy, France and Germany, etc.

Augusta has advantages of five ports to draw from—Norfolk, Wilmington, Charleston, Port Royal and Savannah—and if cheapness and accommodation in ship freights cannot be secured in one place, competition opens up storage room and places a variety of sea bottoms at our disposal. This position is of value inestimable. The fact that Augusta is nearer the coast than interior points gives her advantages over them in rates to the coast; the fact that she is just far enough from the coast to spread out before her this wide choice of tonnage is saving facility.

One element which has sprung up of late years to bolster up Augusta's cotton market, and which has given it a reputation throughout the Southern States, is our local milling demand. With the extension of our long established cotton mills, and the building of new ones, this demand for home consumption has grown to be a factor which has worked phenomenal results. Not only do the buyers for Augusta factories get their takings from the Augusta market but the three large factories in Carolina are also dependent upon our supply. Throughout the year this demand continues. In the active cotton months it is a competitive agent with Eastern and export buyers, and gives a variety as well as strength to the demand. A constant seeking for lower grades is offered for all mixed packed, irregular or light bags. At no point in the South are irregular cottons and low grade goods so high-priced relatively as here.

The cotton product of the Georgia and South Carolina counties adjacent to Augusta is as follows:

GEORGIA.

Baldwin	7,921	McDuffie	7,439
Burke	29,172	Madison	5,917
Clarke	3,310	Morgan	7,355
Columbia	8,313	Newton	7,796
Elbert	8,826	Oglethorpe	12,336
Glascock	2,635	Richmond	2,742
Greene	12,448	Rockdale	4,385
Hall	5,000	Screven	6,166
Hancock	15,010	Taliaferro	4,754
Hart	5,094	Walton	12,538
Jefferson	13,377	Warren	7,885
Johnson	3,321	Washington	23,508
Lincoln	3,861	Wilkes	11,109
Total			232,925

SOUTH CAROLINA.

Abbeville	26,380	Greenville	17,064
Aiken	14,334	Laurens	24,484
Anderson	21,807	Lexington	9,050
Barnwell	28,764	Spartanburg	24,188
Edgefield	35,894		
Total			202,055
			232,925
Bales cotton tributary to Augusta			434,980

One of the incidents of the cotton business is "futures." The courts frown on and moralists denounce this practice. Some years since a cotton man furnished the press of Augusta the other side of the question, and we here give the matter from his standpoint.

Many persons have a prejudice against dealing in cotton futures under the idea that it is all pure speculation, believing that the contracts represent no value at all, but are only a kind of bet on the market, whether prices will advance or decline.

To show how incorrect this idea is we give here the form of contract as now used in the New York Cotton Exchange:

No. CONTRACT A.

Office of
NEW YORK..... .....188..

Bought for M ....

Of M..... .....

50,000 lbs. in about ONE HUNDRED Square bales Cotton, growth of the United States, deliverable from licensed Warehouse in the Port of New York, between the FIRST and LAST day of.....next, inclusive. The delivery within such time to be at seller's option, in lots of not less than fifty bales upon five days' notice to buyers. The Cotton to be of any grade from Strict Ordinary to Fair, inclusive, and if stained not below Strict Good Ordinary, at the price of.....( ) cents per pound for Middling, with additions or deductions for other grades according to the rates of New York Cotton Exchange existing on afternoon of the fifth day previous to the date of the Warehouse Order.

Either party to have the right to call for a margin, as the variations of the market for like deliveries may warrant. And which margin shall be kept good.

This Contract is made in view of, and in all respects subject to the rules and conditions established by the New York Cotton Exchange, and in full accordance with Article II., Title IV., Chapter Second of the By-Laws.

Respectfully,

....

Per.....

For and in consideration of One Dollar.....in hand paid, receipt whereof is hereby acknowledged.....accept this Contract with all its obligations and conditions.

By study of this contract it will be seen that whoever buys this contract when the month named therein arrives will receive the cotton, and have it for sale or use as surely as if he had bought bales and stored them away, the fulfillment of all contracts being secured by the margins put up. And on the other hand, any one who sells such contracts against cotton he expects to produce or receive, when the month named arrives, can deliver his cotton on this contract and receive the price named with perfect certainty.

The contract is simply a contrivance of the mercantile world, by which parties dealing in or producing any article may secure a fixed price, at which, on

a certain date in the future, they may buy the articles desired or sell the articles produced. And so far from being purely speculative, they afford a means of eliminating speculation from very many business operations. . . .

For instance—first, the producer. Intelligent planters generally know at about what price their cotton crops pay them fair profits. If, during the summer months, contracts for delivery during October, November, December, should be saleable in New York at a figure that will secure to the planter the net price that he has found profitable, is it not a prudent business transaction to assure himself of this by selling a contract for the probable amount of his crop? If he does this, then his profit is certain; if he does not, then he speculates as to what price he will get when the great bulk of the crop is pouring into market with its tendency to depress prices. His selling the future contract is not speculation; it is an avoidance of speculation. When the months arrive he can deliver his cotton on the contract, or, if more convenient or profitable, can sell his contract for delivery in New York to other parties there and market his cotton at home. To merchants who supply planters the contract system offers a valuable safeguard against loss. The merchant furnishes to the planter fertilizers and the supplies necessary to run them during the summer, for which he is to receive in return a certain quality of cotton. Knowing the cost of supplies furnished he knows what price for cotton received will give him a fair profit, and, should he at any time be able to sell contracts for fall delivery at such price by making sales to the extent of his profitable receipts, he secures his profits and relieves his business from one of its most serious risks. The planter or merchant who wishes to store and hold cotton with the hope of higher prices produced by local scarcity in the summer can often make sure of his profit by selling at once contract for delivery in summer to hedge his purchases. These contracts always bear a premium at least equal to the expense of carrying cotton. This premium disappears as the cotton months arrive, and while in itself in the local market commands as good or a better price, the contract can be sold at a good profit. Besides these dealings in contracts thus far mentioned, none of which are speculative, there is a very large business done by parties who buy because they think the market will advance, or sell, expecting a decline.

They operate in contracts for cotton rather than in cotton itself, because the expenses are infinitely less. The contracts pass from hand to hand, and one contract may cover many transactions—but when it matures it is good for the cotton.

These dealings are speculation only so far as it is speculation to buy or sell anything, not for one's use, but from an expected profit from advancing or declining markets, whether the article dealt in be cotton, grain, stocks, houses, land, or anything whatsoever. The man whose correct judgment and prudent management bring him fortune out of such transactions is esteemed a good business man, whilst the one whose judgment was faulty, or whose operations were too extended, resulting in loss, is condemned for speculating.

CHAPTER XXXI.

TRANSPORTATION.

Early Epoch—Pack Animals—Peltry Trade—Indigo—Tobacco—Inspection System—Tobacco gives way to Cotton—Wagon Trade—"The Georgie Cracker"—Chief Justice Stokes's Account—Wagon Yards—The River Trade—Hammond's Sketch of the Savannah—Neglect of this Great Waterway—Disputes as to Boundary—South Carolina vs. Georgia in the Continental Congress—A Federal Court Ordered—Convention of Beaufort—First Improvement Act in 1786—The Savannah Navigation Company Incorporated in 1799—Concert with South Carolina Solicited—Navigation Acts of 1802, 1809, and 1812—Another Appeal for South Carolina Co-operation—River Commissioners—Appropriation of $30,000 in 1818—The River Improved—South Carolina Co-operation—The Convention of 1823-25—Congressional Assent not Obtained—Co-operation Fails—Operations from 1815 to 1826—South Carolina Prefers to Rely on Railroad Transportation—Collapse of the Inter-State Convention—Fisheries Acts—Sketch of South Carolina Legislation on Savannah River—Federal Appropriations from 1826 to 1838—The Anti-Internal Improvement School of Politics—The Savannah Valley Convention—Its History, Personnel, and Action—The Augusta *Chronicle* Suggests Such a Convention—Memorial to Congress—Hammond's Topographical Sketch—A Trip Down the River—Picturesque Scenes—Danger Points on the River—Regulations of the Pole Boat Trade—The Steamboat—William Longstreet, its Inventor—The First Crude Model—Steamboat Act of 1814—The Steamboat Company of Georgia Chartered in 1817—History of the Company—Complaint of its Monopoly—South Carolina Competition—Legislative Investigation and Report—Hamburg vs. Augusta—The Steamboat Company Given Canal and Railroad Franchises in 1833—Charter Extended in 1834—The Iron Steamboat Company—The Savannah and Augusta Steamboat Company—Union Steamboat Company—Augusta, Petersburg, and Savannah Steam and Pole Boat Navigation Company—Augusta Steamboat Company of 1887—Phases of Steam Navigation Development—Roll Call of Steamboats for Seventy Years—List of Casualties—Burnt, Blown Up and Sunk.

IN the matter of transportation Augusta has, in the long course of one hundred and fifty years, experienced the same succession of epochs as are often crowded into a twelvemonth out on the plains. In the far West the pack horse and flat-boat first appear, then the wagon and steamboat follow, and, lastly, the railroad furnishes transportation to the city which yesterday was not and to-day is a populous center crowded with spires and domes. What happens there as if by magic, was slowly wrought out here in the lapse of many years.

The first trade of the city was by long trains of pack animals which brought peltries, and some few other articles, from the Indian hunting grounds into town, whence they were shipped by boats of about a ton burden down the river to Savannah, and thence to England. From the nature of the articles dealt in, spring was then the busy season of Augusta, as fall and winter are now, that cotton is the staple. It appears that the early trade was from 300 to 500 tons of peltries annually, making, with the Indian goods, such as cali-

coes, powder, rum, salt, ironware, etc., brought up the river for barter, a traffic of some 1,000 boat-loads a year. It is quite probable, though we have no positive information on the subject, that the boats employed at this early period were somewhat on the barge or flat-boat order, and considerably more capacious than the Petersburgh boat of the present day. They were worked by means of poles thrust to the bottom of the river, and, as will be hereafter seen, the first crude idea of the steamboat, as worked out opposite Augusta some half century later, was the propulsion of vessels by the use of poles worked by steam instead of hand.

After the Indians had been pressed back from the country on the west bank of the Savannah until the peltry trade became of minor importance, indigo and tobacco rose into importance and formed the bulk of the city's export trade. Just prior to the Revolution the cultivation of indigo, or indico, as it was sometimes termed, was quite general. Two objections were urged to this crop, first, that it impoverished the soil, and, secondly, that the rotting of the steeped weed engendered diseases. The first objection, in a new country where virgin soil could be had almost for the clearing, was not much considered, but in 1774 an act was passed in relation to the second. By this statute all persons concerned in the planting or making of indigo were required to bury or destroy the weed within forty-eight hours after the same had been taken out of the steeping vats, under a penalty of five pounds sterling for each failure. By subsequent legislation this act was continued of force until some time after the independence of the United States had been recognized by Great Britain. The process of manufacture was by obtaining a strong solution by steeping and then reducing this by evaporation to solid form, when the indigo was packed in barrels or casks and so shipped.

Tobacco was much more extensively cultivated than indigo, and was, in fact, the great staple of Georgia until the invention of the cotton-gin brought cotton into overwhelming prominence. The main tobacco area was the country immediately contiguous to Augusta, or the counties of Richmond, Columbia, Lincoln, Elbert, Franklin, Warren, Jackson, Oglethorpe, Greene, Wilkes, Hancock, Warren, Burke, Jefferson, and Washington. In this territory fourteen warehouses for the inspection of the leaf were ordered to be established, but it appears that the three warehouses at Augusta, which were known respectively as Call's, Richmond, and Augusta, and were in active operation prior to 1791, did the bulk of the business. The inspection season opened on the 1st day of October in each year, and closed on the 31st day of July following. The grades at first established were three in number, called respectively Oronoco, Sweet Scented Leaf, and Stemmed Leaf. Subsequently the classification was in four grades, called grade one, two, three, and four. If the inspectors found the leaf "good, sound, merchantable, and clear of trash," they were to weigh the same and see it packed, or repacked, in hogsheads or

casks not to exceed forty-nine inches in length and thirty-one inches in the raising head, to be well coopered with at least six hoops, and to weigh at least 950 pounds net. The inspectors were to brand the cask "Georgia," and mark thereon the name of the warehouse where inspected, the quality of the leaf, the net weight, and tare. Hogsheads thus passed were called "full crop;" if of less than the required weight were marked "light crop." All tobacco failing to pass inspection was to be burned or otherwise destroyed. The inspector's fees were two shillings per hogshead, and the coopers were entitled to one shilling and sixpence. Where it was necessary to pick over tobacco in order to save that of standard quality, the pickers were entitled to a salvage of ten per cent. There was also what was known as "transfer tobacco," that is, tobacco delivered at the warehouse by the planter to order of his creditor. This was inspected and casked in the ordinary manner, and delivered to the creditor on production of his transfer receipt, less a commission of eight per cent. for "cask, shrinkage, and prizing the same," prizing being the addition of sufficient tobacco to "light crop" hogsheads to bring the same up to the standard of 950 pounds net. The inspectors and pickers were sworn to a faithful performance of duty, and were subject to prosecution if they purchased, or engaged in the manufacture of tobacco while in office. Much of the tobacco was brought to market by the unique device of "rolling hogshead," that is by a hogshead stoutly coopered, to which a pole or shafts were attached, so that the cask was trundled along by horse-power like a large garden roller.

With the rise of cotton culture that of tobacco decreased. The present square cotton bale fastened with iron ties was then unknown. Cotton came in in round bags of from 200 to 250 pounds weight, about ten feet long and eighteen inches in diameter. A strip of bagging about ten feet long was cut off and sewn together at the side and bottom. Into this the lint cotton was packed and pounded as closely as possible and the top then sewn up, not forgetting that at the top and bottom ears or lugs were made, and ordinarily filled with cotton seed, for convenience in handling. With the rise of the cotton crop it became necessary to wagon the bales to market, and hence great attention was paid to the making of roads. Law after law was enacted with a view to good roads, and the wagon trade of Augusta became something immense. We have heard old citizens say that they have seen Broad street so closely packed with cotton wagons during the season that from market to market, a distance of a mile, one could walk on the top of the bags. Six mules or horses was the ordinary equipment of a wagon, and the lead animals were not thought well harnessed unless each had a chime of bells attached to his collar. The drivers of these long caravans had also further music to beguile the way. It was considered an accomplishment to be able to crack the whip so as to keep a sort of time, and as at the end of his long journey the jehu drove into town, it was his pride to come down the street snapping the lash first on one side of him and then on

the other in a perfect fusilade of pistol-like reports. From this peculiarity some have supposed the name "cracker" has its origin, but this is a mistake. The "Cracker" was known in Georgia as far back as Colonial times, and in the interesting work of Anthony Stokes, royal chief justice of the province, there is a curious account of those then known by the term. It is by no means complimentary, and was doubtless deeply colored by the recollections of the royalist judge of the deadly work of the "crackers" rifle in the war against King George. He says: "The Southern States are overrun with a swarm of men from the western parts of Virginia and North Carolina, distinguished by the name of "Crackers." Many of these people are descended from convicts that were transported from Great Britain to Virginia at different times, and inherit so much profligacy from their ancestors that they are the most abandoned set of men on earth, few of them having the least sense of religion. When these people are routed in the other provinces they fly to Georgia, where the winters are mild, and the man who has a rifle, ammunition and a blanket can subsist in that vagrant way which the Indians pursue; for the quantity of deer, wild turkeys, and other game there affords subsistence; and the country being mostly covered with woods, they have it always in their power to construct temporary huts, and procure fuel. The eastern coast of Georgia, in which they plant rice, is at this time thinly settled on account of the emigration of loyalists, and the greatest portion of the inhabitants are negro slaves; whereas, in the western parts the inhabitants are numerous, and daily increase by the accession of the Crackers from the other provinces; and it is highly probable that these people will in time overrun the rice part of the country as the Tartars in Asia have done by the fruitful cultivated provinces in the southern parts of that country. What induces me the rather to think so is that during the king's government these Crackers were very troublesome in the settlements by driving all gangs of horses and cattle to Virginia, and committing other enormities. They also occasioned frequent disputes with the Indians whom they robbed and sometimes murdered; the Indians in return, according to their custom, murdered the first white man they met by way of retaliation. . . . During the civil war the Americans lost much of that apprehension which they formerly entertained of the Indians, for the Crackers who are destitute of every sense of religion which might withhold them from acts of perfidy and cruelty, have been discovered to outdo the Indians in bearing hunger and fatigue, and as they lead a savage kind of life, they are equally skilled in the arts of bush-fighting and discovering the enemy by their tracks. These men will naturally settle fast in the western part of North Carolina and Georgia, and as the Indians dwindle away before them, they certainly threaten ruin to the civilized parts of the rice colonies, which have not now a common parent to call to their assistance."

As if resenting the ill character thus given the Georgia Cracker by Chief

Justice Stokes, though they had doubtless never heard of such a person or his diatribe, the wagoners felt highly insulted if called crackers, and we have heard of one instance from an old citizen which illustrates their detestation. During one cotton season while the town was full of wagons, a lady had occasion to ask a store-keeper if he had any crackers. Quite a number of wagoners, also intent on trade, were in the store, and never having seen or heard of such an article of food as crackers in all their lives, took up the idea that the city dame intended to insult them by insinuating that they were Crackers, and in high dudgeon one began to flourish his whip, declaring with a round oath he would teach the saucy hussy what sort of crackers they were. The alarmed storekeeper, the half-fainting lady, and the irate wagoner formed a striking picture; but after many explanations the dealer convinced the man of the backwoods that there was not the slightest intention to offend him.

To accommodate this trade huge wagon yards were established throughout the city, the dismantled remains of some of which are still to be seen. In the central court-yard the wagons were packed, and in sheds along the walls the stock was stabled, while the wagoners were lodged and boarded in buildings at the front. Ordinarily a general store, selling provisions and forage was an adjunct of the yard, not forgetting a bar-room attached. The once enormous wagon-trade of the city has now dwindled down to a shadow of its former self. Once in a while from some remote section one of the old-time vehicles lumbers heavily in with bells ringing and whip-cracking as of yore, but the sight is unusual. The wagon-yards have ceased business, with the exception of a few in the outskirts for the accommodation of drovers and a small country trade in vegetables, fruits, etc.

. To carry off the products brought in by wagons the Savannah River was the sole reliance. This magnificent but grossly neglected waterway has had the misfortune from the earliest period of not having had its great natural advantages improved. Some years since Major Harry Hammond, a South Carolina planter, who resides on the bank of this noble stream near Augusta, and has given the history of the river long and close study, prepared a paper on the subject of great value and importance, from which we cannot do better at this point than make some extracts. Major Hammond says: "In one of the regions of heaviest rainfall in North America the three States of North Carolina, South Carolina and Georgia touch. And here, near where the great Appalachian chain takes a western curve before reaching its southern terminus, as if lifting its skirts to shake the waters from them, innumerable springs burst from the mountain slopes. East and west for a hundred miles spread out like a great fan, the water leaps from crag and cliff, uniting into mountain streams and swelling rapidly to rivers—the Toxoway, Keowee, Seneca, Tugaloo, Tallulah, Toccoa—finding issuance at last in the broad Savannah. Notice their Indian names, for here as elsewhere the world over, the oldest languages linger long-

est in the names of rivers, themselves the oldest features of all countries. Older are they than the everlasting hills, for their floods have given to mountain, hill and plain their shape and bounds, and while hourly molding these anew, bear in their currents the life of the region. Southeastward the Savannah seeks the Atlantic coast. The reverse slope feeds the sources of the Tennessee, whose waters find exit through the Gulf of Mexico. So narrow is the divide between the river systems whose sources here interdigitate, that early in this century General Millar, of Rabun county, worked on a canal to connect the navigable waters of the Tennessee and Savannah. In 1873 water was drawn from Black Creek, a tributary of the Tennessee, to Izell's Mills on an affluent of the Savannah. So that before the days of railroads the construction of a canal here was one of the plans for a great transcontinental highway.

"Ascending the Savannah and then the Tugaloo River for fifty-four miles above Augusta, there was found to be an average depth of five feet at low water. But in forty-three places the depth was interrupted and reduced to less than three feet by ledges of rock crossing the stream at nearly right angles. The length of these interruptions varied at different localities from ten yards to one mile, aggregating in all about ten miles. Below these ledges shoals of gravel sometimes occur, obstructing the channel for a greater or less length, and amounting in all for the entire distance to some four miles of such obstructions. The river here varies in width from 200 yards to one mile, the impervious slate across which it passes preventing the current from scouring out a channel and thereby confining the volume of its waters. The total fall is about 380 feet, giving an average slope of two and one half feet per mile. The average velocity is given as from three to seven miles an hour, but it is very variable, long stretches of deep still water being interrupted by shallow rapids.

"The removal of these obstacles and the development of a channel open at all stages of the water for navigation has always been considered of great importance. Surveys have been made and experts have repeatedly reported that the execution of this work was practicable at comparatively small cost. As early as 1795 the Carolina Legislature licensed a lottery to raise £1,200 to improve the navigation from Augusta to Vienna. In 1805 the same body made an appropriation of ten thousand dollars for this purpose. And an act was passed in 1825 looking to the joint action of South Carolina and Georgia for the improvement of the river. Mr. Carson, of the United States Engineer Corps, in conformity with an act of the Federal Congress, made a survey of this portion of the river in 1879. In his excellent and detailed report he recommends as practicable the opening of a steamboat channel three feet deep and thirty yards wide for 100½ miles above Augusta, at an estimated cost of $133,000, and the opening of a channel for pole boat navigation fifty and one-half miles further, at a cost of $126,000 additional. . . . . .

"When the Savannah River crosses the last ledge of rocks just above the

city of Augusta it deepens its channel through the soft sands, clays and marls of the middle and lower country. Everywhere there is a depth exceeding five feet at low water for 273 miles to Savannah except in the first sixteen miles below Augusta to Twiggs Bar, where shoals of sand and gravel 13,750 feet in length occur, which show barely two and one-half feet at extreme low water. There are other shoals of lighter sands in the remainder of its course aggregating 3,595 feet in length, showing barely four feet depth at extreme low water. Men now living remember when these shoals did not exist. Their growth has been caused by clearing off the hillsides of the upper country. The soil thus exposed and loosened by the plow is transported by rains and floods in vast quantities into the swift current of the stream. When the gentle slope below the falls retards the current this detritus of sand and gravel stops and chokes up the channel. The growth of these shoals has been greatly accelerated in recent years, and year by year, as wider areas are brought under the plow, their growth will be more and more rapid until they permanently obstruct the navigation unless removed. In later years the increase of these obstructions has caused enormous losses to farmers by elevating the bed of the river so that at moderate high water lands are flooded that have hitherto been the most productive cornfields on the Savannah, if not in the whole South. The average slope of the stream from Augusta to Savannah is about one-half foot per mile. Fortunately between Augusta and Silver Bluff, where the most formidable obstructions exist, the fall is one and one-fourth feet per mile, producing a current, if properly confined and directed, powerful enough to scour out these shoals. From Silver Bluff to Hayne's Cut, the slope is one foot; thence to Steel Creek one-third of a foot, and thence to Savannah four-tenths of a foot."

Besides the advantages held out as a navigable stream, the Savannah furnishes the water-power that makes Augusta the great manufacturing center of the South. The 6,800 square miles above Augusta drained by the river and tributaries, is a region of great water powers. A rapid reconnoisance under the auspices of the United States Engineer office, made known the existence here of 120,000 available horse-power. The following are some of the localities where more than 5,000 horse-power may be obtained: Augusta 22,500; Trotter's Shoal, 21,750; Long Shoal, 18,000; McDaniel's, 6,100; Anthony's, 6,000; Blue Jacket, 5,800; Portman's, 5,620. There are good reasons for believing that a more complete survey would show the existence here of 400,000 horse-power, about equaling the aggregate of this description of power employed in manufacturing throughout the New England States.

It has been mentioned that as a waterway the Savannah River has been much neglected. The causes of this neglect were, first, the failure of Georgia and South Carolina to co operate for its improvement, and, secondly, the rise and growth of the railway system. In the first epoch such efforts as were made were made by Georgia, but after much expenditure of money that State

ceased its exertions about sixty years ago. What has been done since has been done by the general government but in a stinted and unsatisfactory manner.

The history of the first era is much more interesting than that of the latter period. It will be borne in mind that by the royal charter of 1732 there was granted to the trustees for Georgia all that part of South Carolina "which lies from northern stream of a river there commonly called the Savannah," etc., etc. The ambiguity of this description led to frequent disputes as to boundary between Georgia and South Carolina. Disputes also arose as to that portion of Georgia lying to the north of a due west line from the junction of the Tugalo and Kiowee Rivers and as to that portion south of the Altamaha. Some fourteen or fifteen years before the outbreak of the Revolution these differences were in full bloom, and though the king in council in 1763 sought to compose them, the colonists considered the question far from settled. Scarcely was the Revolutionary War over than the controversy was reopened. The Articles of Confederation provided that disputes between States touching their territory or boundaries should be adjusted as follows: On presentation to Congress by any State of its petition to Congress, stating its case, and praying a hearing, notice was to be given by order of Congress of such petition to such other State, and a day assigned for the appearance of the parties by their agents. When met, the agents were to select judges for the hearing and determining of the mattter in controversy. Should the agents not be able to agree, Congress was to name three persons out of each State, and from this list each party was alternately to strike one, the petitioning State having the first strike, until but thirteen were left, out of which not less than seven nor more than nine, as Congress might determine, were to be drawn by lot, and those drawn, or any five of them, were to form the court. If a State refused to attend, or strike, the secretary of Congress was to strike for such State. The judgment of the court was to be final, and to bind the defendant State whether it appeared or not. The judges were to be sworn "well and truly to hear and determine the matter in question, according to the best of his judgment, without favor, affection, or hope of reward," and the judgment was to be transmitted to Congress and lodged among the acts thereof.

Pursuant to this provision South Carolina petitioned the Continental Congress in March, 1785, for a Federal Court to determine a dispute concerning boundaries between that State and Georgia, and on the first of June in that year, the committee to which the petition had been referred, reported a form of notice to the State of Georgia, and recommended that the agents of that State and of South Carolina be required to meet for the selection of judges on May 8, 1786, which was adopted and so ordered. At the appointed time the matter was by mutual consent continued to May 15, and thence again postponed to September 4, 1786, when John Kean, Charles Pinckney, and John Bull appeared and produced their credentials as agents for South Carolina, and

William Houstoun, George Walton, and William Few did the like for Georgia, whereupon Congress directed them to proceed to the selection of judges. On September 11, the South Carolina agents reported that they had not been able to agree with the agents of Georgia upon the appointment of judges, or time and place of trial, and thereupon prayed Congress to proceed "to strike a court agreeable to the confederation." Congress ordered the agents of Georgia to be furnished with a copy of the report and prayer of the agents of South Carolina, and on the 13th the former answered that by the act appointing them the agents for South Carolina were appointed with plenary powers to adjust all questions of boundary with such commissioners as Georgia might appoint with like powers, and only in default of Georgia appointing such commissioners were the agents of South Carolina to proceed to apply for a court according to the Articles of Confederation. It was therefore submitted that the agents for South Carolina could not legally move for a court, as sufficient opportunity had not been allowed the State of Georgia to decide whether she would appoint commissioners and thus avoid the necessity of a Federal Court. After putting in this answer the agents for Georgia, with apparent inconsistency, moved the selection by Congress, of a Federal Court, which was granted. On motion of South Carolina it was voted that nine names should be drawn, and in presence of Congress the following gentlemen were selected by lot as judges, namely: Alexander Contee Hanson, James Madison, Robert Goldsborough, James Duane, Philemon Dickinson, John Dickinson, Thomas McKeon, Egbert Benson, and William Pynchon. The court was then ordered to meet in the city of New York on the third Monday in June, 1787.

The court, however, never assembled. South Carolina seems to have reverted to her original idea of settling the matters in controversy without the intervention of a Federal Court, and Georgia, acceding to the same view, by act of February 10, 1787, appointed John Houstoun, John Habersham, and Lachlan McIntosh as commissioners, with plenary powers to settle and adjust all matters of boundary between Georgia and South Carolina with such commissioners as the latter State might appoint with like powers. South Carolina appointed on her part Charles Cotesworth Pinckney, Andrew Pickens, and Pierce Butler, and these three, with Messrs. Habersham and McIntosh, of Georgia, Mr. Houstoun declining to concur, concluded the famous Convention of Beaufort, at Beaufort, in South Carolina, on April 28, 1787. The convention was duly reported to and ratified by the States of South Carolina and Georgia, thus finally closing up the vexed question of boundary. On looking at this convention we see at least one reason why South Carolina preferred the adjustment of matters by an inter-State commission rather than by a Federal Court. The articles of confederation required the State applying for a court thereunder to specify its claim, and that alone the court was competent to try. Now, in stating her case to Congress, South Carolina confined herself to the differences

which had arisen as to the northern and southern limits of Georgia, that is to the portions north of a due west line from the junction of the Tugalo and Kiowee and south of the Altamaha. Nothing was said as the vexed question of the Savannah River, or eastern boundary of Georgia, South Carolina claiming *ad filum*, or to the middle of the river, and Georgia to the eastern bank. In the appointment of commissioners this omission was rectified, both States instructing their deputies to adjust all and singular the differences, controversies, or disputes existing relative to boundary.

The convention of Beaufort is in six articles, the first of which provides that the Savannah to the Tugalo and then the Tugalo to its intersection with the northern boundary line of South Carolina should be the boundary between that State and Georgia, reserving all the islands in both rivers to Georgia. Article second declares the Savannah and Tugalo equally free to the citizens of both States, neither to impose any duty or toll, or offer any hindrance, molestation, or interruption to the citizens of the other. Articles third and fourth quit claim all rights the contracting States may respectvely have on the other side of the boundary above established. Article fifth confirms grants theretofore made between the forks of the Tugalo and Kiowee, on ratification of such grants by Georgia and the recording of such ratification in South Carolina within twelve months after the date of the convention. The sixth article reserves all rights which may have accrued by South Carolina grants south of the Altamaha, this reservation being by South Carolina only, the Georgia commissioners considering they had no authority to negotiate in this particular.

The convention of Beaufort is commonly regarded as having conceded to Georgia the exclusive ownership of the Savannah River. In the year 1783 the Legislature passed an act which declares "that the limits, boundaries, jurisdiction, and authority of the State of Georgia do and did, and of right ought to extend from the mouth of the river Savannah, along the north side thereof, and up the most northern stream or fork of the said river to its head or source;" and the general impression is that this was conceded in the convention. There is great reason to doubt this. The first of the articles of that agreement says that the islands in the Savannah are "reserved" to Georgia. Why reserve them if the whole river to the further shore was conceded to Georgia? Again, in the second article the navigation of the Savannah from the mouth, "and from thence up to the bed, or principal stream of the said river," is made equally free; and then it is said that "all the rest of the river Savannah to the southward of the foregoing description is acknowledged to be the exclusive right of the State of Georgia." In the light of these citations, it is pretty evident that the convention of Beaufort made the middle of the main channel the boundary, save, always, that the islands belonged wholly to Georgia.

The general belief, however, has been and still is that Georgia owns to the further bank of the Savannah. Owing to this persuasion it was for many

years in the early history of the river a received maxim that Georgia must take care of her own. It was long before South Carolina would co-operate in the improvement of the stream, and when she finally agreed to do so it was but a few years before the rise of the railway system, and in anticipation of much greater benefit from this instrumentality the co-operation was withdrawn altogether.

As early as 1786 the Legislature of Georgia passed an act for the improvement of the Savannah River from Rae's Creek, just above Augusta, to Tugalo Old Town, by the terms of which commissioners were appointed to clear out the river. To supply them with funds a tax was laid on the inhabitants along the river, and it was further provided that all sums which had been subscribed as well in this State as in South Carolina for the improvement of the river, should be vested in the commissioners. After clearing out the river they were to put a lock at the lower falls and levy a toll of five shillings per hogshead on all Carolina tobacco, unless made by a subscriber who had paid in his contribution for the improvement of the river. In the next year the convention of Beaufort forbade this discriminating duty on South Carolina shippers, and in the same year the Legislature passed an act remitting the home tax, so that the commissioners had no funds wherewith to work.

In 1799 renewed efforts were made to improve the navigation of the river. By act of February 14 the Savannah Navigation Company was incorporated with a capital of $40,000 in $100 shares. Subscriptions were limited to thirty shares and made payable in three years in four equal payments "in gold, silver, or bank bills of the United States." The affairs of the body were to be managed by nine directors, and when the company had so far improved the navigation of the Savannah between Augusta and Petersburg as to allow boats carrying fifteen hogsheads of tobacco (weighing at the then standard, 14,250 pounds) to safely pass with the water at common height, it was authorized to charge toll on all traffic up and down the river at the following rates: On each hogshead of tobacco, $37\frac{1}{2}$ cents; each barrel of flour, 4 cents; lumber, per thousand feet, 10 cents; all other articles, per hundred weight, 2 cents. For non-payment of toll, the vessel and cargo were subject to be seized and held until payment. The operation of this act was made dependent upon the passage by the Legislature of South Carolina of an act incorporating the company as a Carolina corporation with the same franchises as in the Georgia act. No such legislation being had by South Carolina the act never went into effect.

By act of February 18, 1799, another attempt was made to enlist South Carolina in the work of improvement. In order to remove obstructions to navigation between Augusta and Savannah, it was provided that the corporate authorities of Augusta and Savannah should each appoint three commissioners, to form, with such like officers as might be appointed by South Carolina, a board for the improvement of the navigation of the Savannah, from Augusta

to Savannah, with power to collect tolls at Savannah, as a fund for operations. The toll list affords an insight into the staples of that day, the rates being, each hogshead of tobacco, 50 cents; on each barrel of corn or wheat flour, 12½ cents; on each barrel of pork, 6¼ cents; on every 1,000 feet of plank or lumber, 6¼ cents; on every 100 bushels of corn, 50 cents; on every hundred weight of clean cotton, 12½ cents. Here again the sister State failed to cooperate, and the scheme came to naught.

In 1802 an act was passed which recites that "the keeping open the Savannah River is of the greatest importance to the citizens of the back country, as well in consequence of navigation as the advantage resulting to the citizens generally, by having an annual supply of fish therefrom," and that the river above Augusta has been almost totally blocked up by numerous dams, wherefore it was enacted that it should be unlawful for any person to dam, stop, or obstruct the river from Augusta to the junction of the Tugalo and Kiowee, and up the Tugalo to Hatton's Ford, "but that the one-third part of the said river, including the main sluice, is hereby declared to remain and continue open for a free passage." All dams then in the river encroaching on the portion thus ordained to be left open were to be removed by January 1, 1803, under a penalty of $20 for each day's failure, and a like penalty was imposed on all thereafter erecting dams on the reserved portion.

In 1809 it was enacted that the main current of the river above Augusta should forever remain open for boats and fish, and that no dam, fish trap, or other obstruction should extend over more than one-third of the river. Violations of this act were made indictable offenses, punishable by a fine of $100 per day, and commissioners were appointed for the counties of Richmond, Columbia, Lincoln, Elbert, and Franklin to view any obstructions then existing in the river opposite their respective counties, with authority to remove the same if found in violation of the act and to call out the *posse comitatus*, if necessary, to aid them. The commissioners for Richmond were George Pearson, Holland McTyre, and John D'Antignac.

In 1812 still another act of like general purport was passed. It recites that the acts previously passed had failed of their purpose, and, for remedy, enacts that a board of commissioners from the counties of Richmond, Columbia, Lincoln, Elbert, and Franklin be appointed with authority in said commissioners or any one of them, to examine the Savannah, or any part thereof, from Augusta to the junction of the Tugalo and Kiowee and determine if any such obstructions as these specified in preceding acts existed. If so, the commissioner, or commissioners, had authority to order the owners thereof, or their agents or manager, to remove the same in two days, and if not done, to call out the militia for that purpose. Half of any penalty imposed was to go to the commissioner or commissioners lodging information of a violation of the law.

In 1815 an effort was made for concerted action with the State of South Carolina looking to the improvement of the Savannah above Augusta. The act of that year opens with a preamble, that, "Whereas, the improvement of the inland navigation of every country is of the first importance to its inhabitants in facilitating and extending commerce; and, whereas, the clearing out and removing the obstructions on Savannah River, would greatly conduce to the convenience and interest of the inhabitants settled in the north and northwestern parts of this State; and, whereas, the State of South Carolina did, many years past, make an appropriation of ten thousand dollars for the purpose of improving the navigation of said river whenever the State of Georgia should make a similar appropriation." The act then appropriates $10,000 for improving the navigation of the Savannah River and the headwaters thereof, said appropriation to be conditional on South Carolina keeping her offer of a like sum open. Andrew Irwin, Richard Gray, John Watkins, William Jones, and Dridzel Pace, sr., were appointed commissioners, to confer with such commissioners as might be appointed by the State of South Carolina a board of commissioners for improving the navigation of the Savannah River. The commissioners were to appoint a superintendent of the work and were to begin operations at Augusta and thence proceed up the river.

In 1816 a new set of commissioners for the counties of Richmond, Columbia, Lincoln, Elbert, and Franklin were appointed to view obstructions in the Savannah from Augusta to the Indian line, so far as the same prevented the free passage of fish, the penalty for continuing such obstructions after notice being fixed at $30 per day. James Primrose and George Pearson were the commissioners for Richmond.

In 1817 James R. Wiley was added to the board of commissioners appointed by the above mentioned act of 1815 to co-operate with commissioners from South Carolina for the improvement of the Savannah above Augusta, and a further appropriation of $5,000 was made for improving the river from Augusta to Savannah. The same act increases the appropriations for the river above Augusta $20,000, conditioned that South Carolina appropriate a like amount. In the next year the restriction was removed and the appropriation of $20,000, as also the prior one of $10,000, was made absolute. In the same year, 1818, the Legislature directed that these sums should be applied as follows: From Augusta to Petersburg, $15,000; from Petersburg to Andersonville, $8,000; and from Andersonville to the mouth of Panther Creek on the Tugalo, $7,000. For the Augusta division, Thomas Murray, Ezekiel Dubose, Peter Lamar, William Cumming, Henry Shultz, Archer Avery, and Marshall Keith were appointed commissioners. The various commissioners were empowered to receive any private subscriptions that might be made toward improving the river, and directed to distribute the same in the above mentioned proportions. It was also provided that the commissioners might

co-operate with such like officials as South Carolina might appoint in event she contributed money to the common purpose. In the next year the governor was requested to correspond with the executive of South Carolina for the purpose of procuring a speedy co-operation of the two States in the improvement of the river.

At the next session, that of 1820, the governor informed the Legislature that he had addressed a communication to the governor of South Carolina in conformity with this request, and, while he had received no answer, had been informed by the commissioners in charge of the river from Augusta to Petersburg that the Board of Internal Improvements of South Carolina would co-operate with them. At a later period in the session he reports that the commissioners have furnished him with a map of a survey of the river which was then in his office. It may be here mentioned that at this session Judge Dooly, so famous for his wit, was made a member of the board of commissioners. In this year, 1820, it appears that upon the invitation of South Carolina, delegates were appointed to confer with delegates from that State on some common plan of action for the improvement of the Savannah, but we do not find their names nor any report of their action until some years later.

In 1822 the commissioners appointed to improve the Savannah from Augusta to Petersburg report no further necessity for expenditures on that part of the stream, and were accordingly directed to turn over to the State Treasury the unexpended balance of their appropriation of $15,000, the same being $4,556.46.

In 1823 the governor informed the Legislature that he had received a letter from the governor of South Carolina indicative of a desire on the part of that State of co-operating with Georgia in the improvement of the Savannah. It appears that the delegates of the two States had agreed upon a plan of action in the shape of a treaty or convention, and the executive of South Carolina presented this as a fit basis of union. The convention which was subsequently ratified by the two States is in seventeen articles. The substance of these articles was as follows: The governor of each State was to appoint one commissioner; these commissioners were within one year after the ratification of the convention to make a full survey of the Savannah and Tugalo Rivers and prepare estimates of the cost of their improvement. They were also to report plans for such improvement, and each State was to appropriate $500 for the expenses of this preliminary work and to compensate its own commissoner. The actual work of improvement was to be under the charge of two superintendents, one appointed by each State, who were to be a body corporate in both States under the name and style of "The Superintendents of the Savannah Inland Navigation." The superintendents had full power to make any contracts deemed by them necessary, which were to be binding on each State to the extent of the appropriations made by it. They were also empowered to appoint

and remove at pleasure such engineers, agents, toll collectors, and other officers as might be necessary for completing, repairing, or protecting the works or for the collection of tolls; to establish rates of toll, always provided that no discrimination should be made in favor of or against the boats or trade of either State; and provided, further, that in case there should be worked in either State any mine of iron, lead, or coal, or any quarry of lime, gypsum, marble, or other building stone, the State in which such mine or quarry was situate was to have the exclusive right of fixing the toll on the products thereof; and to make all rules and regulation they might deem proper for the prosecution and management of the work. The superintendents were authorized to purchase such lands on the river as might be necessary for their purposes, the State in which such land was situate to retain jurisdiction thereof. If the superintendents and owner of the land sought could not agree on price, the law court of the county or district in which it was situate was to appoint five commissioners to value the same, and at that valuation they were to vest in the superintendents. If the superintendents failed to agree on any question the principal engineer was to act as umpire in the matter, and if a vacancy occurred in the office of either superintendent was to act as superintendent until such vacancy was filled. Each State was to fix the term of office and to pay the salary and expenses of its superintendent.

The expense of improving and rendering navigable the river was to be borne equally by the two States, but each was to be at liberty to make such appropriation as it might see proper, provided that the smallest appropriation by either State was to be one-half of the total amount to be raised. In other words if South Carolina appropriated $20,000 and Georgia $30,000, the total appropriation was to be $40,000, and Georgia was only to be called on for $20,000.

All tolls collected were to be used first for repairs and current expenses, and secondly in making such improvements as the Legislatures of the two States might direct. If none were ordered the tolls were to be reduced so as only to bring in funds enough to repair, renew, and kept in order the works.

Payments for work done were to be by draft, signed by both superintendents on the State treasury; any draft drawn on one State to have a counterpart draft for an equal amount drawn on the other. Neither State was to be responsible for drafts drawn on the treasury of the other.

It was further provided that the State in which any canal might be cut, or work erected, under the convention, should not cause or permit the same to be demolished or impaired without the consent of the other State, but, on the contrary, was to enact such laws as might be necessary for its protection and maintenance.

It is unfortunately the case that this convention, like all the other efforts at co-operation between the States, came to naught. True, the Legislature of

Georgia ratified it on December 20, 1823, and the Legislature of South Carolina on December 20, 1825, but here another obstacle interposed. The convention was an agreement or compact between two States, and the Constitution of the United States declares that no State shall without the consent of Congress enter into any agreement or compact with another State. It was, therefore, necessary to obtain the consent of Congress before the convention could become legally operative, and this assent was never given. It is stated that by reason of a want of concert between the delegations of the two States in Congress, no application was ever preferred the general government for its assent. Probably the matter had dragged so long that public interest therein had died out, or new administrations had come in not sufficiently acquainted with the unfinished business of their predecessors, but, whatever the cause, the effort failed.

Not forseeing this untoward result, and apparently in confident anticipation of good results to flow from the convention, the Legislature of Georgia in 1826 appropriated $20,000 for the improvement of that part of the river lying between Andersonville and Augusta, the same to be conditional on a like appropriation from South Carolina. By the same act the sum of $20,000 was appropriated "for the purpose of removing obstructions in the Savannah River below Augusta, and of improving and deepening the channel of that river so as to render it at all times navigable for steamboats." This appropriation was unconditional, but the commissioners for that part of the river were directed to proceed with or without the co-operation of South Carolina as they might deem best. This same year the governor was requested to co-operate with the executive of South Carolina in all matters tending to the successful operation of the convention between the States relative to the improvement of the Savannah.

At this point we may pause in this historical sketch and trace the results of the appropriations which had been made. It will be remembered that under the various acts above cited, appropriations had been made as follows for the improvement of the river: Below Augusta, $20,000; from Augusta to Petersburg, $15,000; from Petersburg to Andersonville, $8,000; and from Andersonville to the mouth of Panther Creek on the Tugalo, $7,000; a total of $50,000.

Up to 1829 the commissioners for that part of the river below Augusta had expended $9,860.80, and had on hand $10,139.20 in money, and one pile driving machine, one Augusta boat, one Petersburg boat, and some $200 worth of cordage, lumber, tools, etc. The Legislature expresses its "unqualified approbation of the conduct of the commissioners, as evidenced in their report, and the spirit of enterprise, tempered with discretion, perseverance, and economy which it exhibits." They were directed to use the unexpended balance in their hands in their discretion, and with $4,630.20 completed their task.

In 1822 the commissioners for the Augusta and Petersburg division reported that they had successfully completed the work assigned them at a cost of $10,443.54, and turned over the balance of their appropriation, to wit, the sum of $4,556.46 into the State treasury.

In 1824 the commissioners for that part of the river from Petersburg to Andersonville reported that with their appropriation of $8,000 they had put their section in such order that boats carrying eighty bales of cotton could pass. The weight of the bale then being about half that of the average bale of the present day, it follows that boats of at least nine tons burden were then able to navigate that part of the Savannah.

As to the last division, or that from Andersonville to the mouth of Panther Creek on the Tugalo, it appears that up to 1823 the commissioners had expended $4,575.47 out of their appropriation of $7,000. Out of this balance of $2,424.53, they had expended the further sum of $1,415,25, leaving a balance of $1,009.28 then on hand. This seems to have been sufficient to complete the work which the Legislature ordered done as soon as practicable.

From 1815 to 1826 the total appropriations made by Georgia for the improvement of the river aggregated $50,000, and the expenditure of $39,-934.54 sufficed to put the entire stream in satisfactory order, leaving a surplus of $10,065.46. This much having been accomplished and a convention having been concluded with South Carolina whereby, after many years of effort the co-operation of that State seemed assured, it looked as if the work of improvement was on a solid and durable basis, but a new obstacle to united effort arose.

In a special message to the Legislature of 1828 Governor Forsyth informed that body that after South Carolina had ratified the River Convention her delegation in Congress in 1826 proposed to apply to that body for its assent to the compact but that no application was made because the Georgia delegation would not unite with them. At the session of 1827 the Georgia delegation were instructed to concur in such application, but at that time the South Carolina delegation declined to unite with them on the ground that they had no instruction so to do. In consequence of this game of cross purposes no application had been made for congressional consent. Despite this failure Governor Forsyth says he would have renewed his instructions to the Georgia delelegation were it not that he was in receipt of information from the governor of South Carolina which satisfied him that that State did not desire the convention to become operative. From the information before him it would be seen that "a project is in the course of execution to divert by a railroad from Hamburg to Charleston the whole trade of this State above Augusta, from Savannah to Charleston. The right of South Carolina to improve all its resources, and draw from a neighboring State a portion of its trade is not denied, nor is the exercise of that right a cause of just complaint; but in this scheme

South Carolina is to have the benefit of the engineer of the United States; the skill and science under the command of the Union, and the money of the general government—our money—is to be used for the purpose of aiding in the execution of a scheme which if successful, will seriously injure, if not destroy our most flourishing seaport." In view of this project he says: "It cannot now be desired by South Carolina to have the convention ratified, and that, if it was, it would be unwise on our part to fetter ourselves by its obligations, as South Carolina's design will prevent any expenditure of money on the most important part of the Savannah River, that below Augusta."

The message was referred to the committee on the state of the Republic, which reported that the failure to obtain congressional sanction for the convention did not cause them any regret. The report then continues:

"Recent indications exhibited in South Carolina evidence very clearly not only the unwillingness but the inability of that State to aid in the consummation of the proposed undertaking. The governor of South Carolina in a letter addressed to the executive of this State frankly admits 'that the incorporation of a company to erect a railroad from Hamburg to the city of Charleston, which it seems will be carried into effect, will render the State averse to expending any money on the river below Augusta.' In another part of the same letter he says, 'it is not likely that in any short time this State will make any appropriation for clearing the river above Augusta; in favor of this course we have one unanswerable argument, the low state of the treasury.' This confession impresses your committee with the belief that should the complete ratification of the convention be obtained, it would, under existing circumstances, be inoperative or of no avail. Georgia, we apprehend, would be unwilling to fetter herself by a positive pledge, when there was a strong probability, if not absolute certainty, that all the disbursements necessary to effectuate the proposed object were to emanate exclusively from her own treasury. Should, however, the resources of the other contracting party ever enable her to cooperate with us in the prosecution of the work, a collision of opinion, engendered by a diversity of interests, would unquestionably prevail in regard to the portion of the river upon which the joint fund should be expended. It would be a paramount consideration with Georgia to render perfect the navigation of the river below Augusta, while South Carolina, with all the facilities afforded by her railroad, could feel no interest whatever in its improvement. She would, of course, bestow all her care and attention upon the river above Augusta, which to us would be an object of secondary importance. These considerations impel your committee to recommend for adoption the following resolution:

"*Resolved*, That, under present circumstances, it is impolitic on the part of Georgia to attempt to procure a full and entire ratification of the convention with South Carolina relative to the navigation of the Savannah and Tugalo Rivers."

Report and resolution were adopted, and this was the end of co-operation between South Carolina and Georgia for the improvement of the navigation of the Savannah River.

In 1829 the Legislature appointed commissioners for the counties of Richmond, Columbia, Lincoln and Elbert, one for each, and made it their duty to survey, determine, and lay off the main channel of the Savannah, beginning at the first shoal above Augusta, and thence upward to the mouth of Lightwood Log Creek, in Elbert county. They were also to see that the channel was kept clear, and that no dam, trap, or other obstacle stretched over more than one-third of the stream. The commissioner from Richmond county was Benjamin H. Warren. From some subsequent legislation it appears that a survey was made of the river under this act, and beacons and other marks designating the channel established, but this is the last statute of any note looking to the improvement of the navigation of the Savannah. Following the example of South Carolina, Georgia looked to the new instrumentality of railroads for transportation, and ceased even the fitful efforts she had up to that time made for the improvement of her great water way. A number of subsequent statutes relative to the Savannah followed that of 1829, but their main object was to protect fish and fisheries.

We may here give some account of the legislation of South Carolina for the improvement of the river. In 1791 it was portioned out into three divisions, from Augusta to Long Cane Creek, from Long Cane Creek to the old boundary line, and from thence to Fort Prince George on the Kiowee, and commissioners appointed for each division, who were authorized to require all male inhabitants between the ages of sixteen and fifty residing in their respective divisions within six miles of the river, to work thereon ten days in each year. The commissioners were also authorized to receive all donations or subscriptions made for the improvement of the river.

In 1795 seven commissioners were appointed to conduct a lottery for the purpose of raising £1,200 to be devoted to the removal of obstructions in the Savannah between Campbelton and Augusta; and in 1805 a board of fourteen commissioners was appointed to co-operate with any commissioners that might be appointed by Georgia to clear out the river from Campbelton to the junction of the Tugalo and Kiowee, and the sum of $10,000 appropriated for such purpose, conditioned on Georgia appropriating a like sum. No concurrent action having been had by Georgia this proposition came to nothing. The appropriations made by the general government up to a half century since were as follows: In 1826, $50,000; in 1829, $24,490; in 1832, $25,000; in 1834, $30,000; in 1835, $20,000; and in 1838, $15,000; total, $164,490. The great bulk of this, however, if not in fact all, was devoted to the improvement of navigation at the mouth of the river, but one appropriation, that of 1838, being generally for the improvement of navigation without specifiying any particular

locality. Before the war the South was opposed to internal improvements by the general government, the idea being that it was the function of the States to carry on such operations and that it was not within the constitutional province of Congress to use the common fund for the benefit of any special locality. In a letter written by Hon. George T. Barnes, member of Congress for the Augusta district, to the Savannah Valley Convention, to be hereafter mentioned, the political views for many years entertained on this subject are very clearly expressed, and we here quote what he says:

"A river of such magnitude as the Savannah, forming the boundary line between two States, with such a capacity as a highway, not only for local commerce, but commerce between the States and even for foreign commerce between other countries and our own, is legitimately within the purview of that provision of the constitution under which appropriations for the improvement of rivers and, harbors have been made. Both Mr. Calhoun and Mr. Webster derived the right to make such appropropriations from the power of Congress 'to regulate commerce with foreign nations, and among the several States, and with the Indian tribes.'

"Mr. Calhoun would have restricted the exercise of that power to such rivers, the Mississsppi for example, as formed the boundary line between several States. But Mr. Webster held that the question in such cases is not whether the expenditure be local, but whether the purpose be general, a national purpose and object. A river, said he, flowing between two States—and two States only— may be highly important to the commerce of the whole Union. The river and harbor bills passed by Congress for many years have followed the construction of Mr. Webster, and even those which have been subjected to executive criticism or veto have been on the ground that appropriations made were for other purposes than those fairly contemplated by that construction. This appears from President Grant's message of 1876, approving the bill of that year, and President Arthur's veto on the bill of 1882. President Cleveland signed the bill of 1886, but failed to sign the bill of 1887. But Mr. Webster's construction of that clause of the constitution may be now regarded as settled. The improvement of the Savannah River is not only clearly within the purposes of the constitution so construed, but would come within the purposes of a much narrower and more restricted construction."

After the war the old anti-internal improvement theory was abandoned, but the overshadowing importance of the railroad interests caused but little attention to be paid to river navigation. The railroads having a practical monopoly of transportation imposed such rates as were felt to repress development, and attention was once more directed to the waterways.

On December 20, 1887, the Augusta *Chronicle* initiated a movement looking toward a general and systematic improvement of the river in a very able editorial, a portion of which we here subjoin: "Liberal appropriations should

be secured from Congress for the river. The people of the Savannah Valley are interested in the removal of obstructions from the stream.

"The Augusta Exchange, it seems to us, would do well to call a convention in this city at an early day for the purpose of taking this matter in hand. All the counties in Georgia and South Carolina on either side of the river which have any interest in it, should be invited to send delegates to the convention. As the result of this convention we would secure the active co-operation of the senators and congressmen from two States, who in response to the petitions of their constituents, would work actively for an appropriation large enough to do all the work needed.

"We do not ask for an appropriation to pump water into a creek, but for the improvement of one of the largest and most important rivers of the United States. The small sums heretofore doled out by Congress have been practically of no avail. What we need, and what we should have and can have by proper concert of action, is an appropriation to do the work properly and promptly.

"A convention of the people of the Savannah Valley for the purpose stated is the one thing needful. Let the Augusta Exchange take the matter in hand and call a convention at an early day, say in January. The importance of the river as the great natural highway to the sea for the products of a large and rich area of two States will be fully ventilated and demonstrated.

"Let committees be appointed by this convention to go to Washington to lay this matter before Congress. They will enlist the active influence of the representatives from both States. In this way the claims and advantages of a navigable river, choked with sand-bars, stumps and debris, on account of neglect and non-use for twenty-five years, will be properly presented, and, we believe, appreciated by Congress."

In accordance with this suggestion, a meeting was held at the Exchange on December 28, 1887. Mr. James Tobin, president of the Exchange, was called to the chair, and stated that the object of the meeting was to call a convention of the people on both sides the Savannah for the purpose of concerting measures for the improvement of that river.

Hon. Patrick Walsh, editor of the *Chronicle*, being called on, said: "The object of the meeting, as has been stated by the chair, is to call a convention to be held in this city of the people of the Savannah Valley, to urge upon Congress the necessity of the improvement of the Savannah River.

"We realize that we have in Congress a gentleman fully able to take charge of our interests and to present our claims for an appropriation, but they can be advanced by enlisting the support of a number of congressmen. The active co-operation of the six congressmen on each side of the river, with the senators of the two States, and possibly the co-operation of the entire delegation from Georgia and South Carolina, will be certain to secure the necessary appropriation for the river.

"Let the exchange call this convention, and one of the good results will be the improvement of the Savannah River. Major Barnes has been the first member of Congress in many years who has taken an active interest in the affairs of the district, and looked particularly after the improvement of the river. By means of this convention his hands will be greatly strengthened, and our just claims will be recognized and our just demands will be granted by Congress."

Hon. George T. Barnes, member of Congress for the Augusta district, being called on, said he was in full sympathy with the movement, and thought the convention of representatives from both sides of the river was calculated to do a great deal of good, but in order to obtain anything in the way of an appropriation they would have to be guilty of a little importuning.

He exhibited a pamphlet containing the proceedings of a convention (held in Columbus) of delegates from along the Chattahoochee and Flint Rivers. Delegates from Georgia, Florida and Alabama were present. The attention of the Georgia Legislature was called to this, and resolutions memorializing Congress were adopted.

Major Barnes urged the meeting not to stop at showing the local benefit to be derived from improving the Savannah, but to go further and show the national importance of the Savannah River. He alluded in a flattering manner to the valuable statistics and information as to our river from the pen of Major Harry Hammond, and referred to the greatness of our river. He showed how little it would take to put the river in a first-class navigable condition, and said that even now it was navigable a greater distance than the Hudson, and if properly improved, would make Augusta the great distributing point of the East and West.

He said that the engineers must be shown by the home committee what was wanted. The river has a great advantage for heavy freights. This point, if the river was improved, would become the great distributing point for Eastern, Western, West India and South American freights. The God of nature had placed at our disposal—right at our feet—a great river; that nothing is the matter with it except that right at the bar it has filled up with debris that comes from the Piedmont escarpment. Eighteen miles from Augusta there was no place where the water was not five feet deep, the only trouble being the snags.

Mr. W. C. Sibley spoke of what the Savannah was when he was a boy, and even later when its banks were lined with freight for the boats. He spoke earnestly of the great benefits of river navigation and urged strongly the proposed convention, and introduced the following resolution, which was unanimously adopted:

"*Resolved*, That it is the sense of this meeting that a convention of the citizens of the counties bordering on the valley of the Savannah River be held in

this city on Wednesday, the 25th of January, 1888, for the purpose of placing before Congress the importance of improving the navigation of the said river."

Hon. John S. Davidson, president of the State Senate, spoke strongly in favor of the proposed convention and the great benefits to be derived from the improvement of the river.

Mr. William Dunbar moved the appointment of a committee of five, with President James Tobin as chairman, to arrange for the convention, and to invite delegates from the counties of the Savannah Valley. Unanimously adopted. Under the resolution of Mr. Dunbar, President Tobin appointed the following committee: James Tobin, William Dunbar, W. C. Sibley, Patrick Walsh, Z. W. Carwile, and J. J. Dicks.

The call for the convention met a very general and enthusiastic response, and at the appointed time the meeting was called to order by Hon. Patrick Walsh, and Mr. E. B. Murray, of Anderson, S. C., elected temporary chairman, who, on taking the chair, said: "The object for which this body meets to-day is one which cannot fail to attract not only the attention of the counties which lie along the banks of the Savannah River but the whole southern country. Our people in this section of the union have not received the attention from the national government which the importance of the interests involved here merit. There is scarcely a stream throughout the great North and West that has not been improved to its utmost capacity, while throughout the southland are neglected streams which the expenditure of a few thousands of dollars would make an inestimable blessing to the people of our country. Among these there is perhaps none more conspicuous by the neglect of its great advantages than the Savannnh River, a stream which has advantages for commerce which would supply an area of country stretching hundreds of miles beyond the banks of the stream. It seems to me it should have received the attention of our government long before this, but there is an old adage, "the gods help those who help themselves," and, inasmuch as we have done nothing towards calling attention of congressmen to the necessity and importance of the stream, perhaps we, ourselves, are as much to blame as anyone else."

After an address of welcome by Hon. John S. Davidson, of Augusta, responded to by Hon. W. C. Benet, of Abbeville, S. C., the roll of delegates was called, and 123 were found present, 41 from South Carolina and 82 from Georgia, Edgefield, Hampton, Aiken, Barnwell, Anderson, Abbeville, and Laurens counties being represented from the former, and Columbia, Burke, Wilkes, Lincoln, Chatham and Richmond counties from the latter State. A permanent organization was then effected with Mr. John H. Estill, of Savannah, as chairman, and Mr. M. V. Calvin, of Augusta, as secretary. A committee of one from each State at large, one from each county represented, two from Augusta, and two from Savannah was then appointed to memorialize Congress, as follows: From the State of Georgia-at-large, F. Edge-

worth Eve, of Columbia county; from the State of South Carolina-at-large, James Aldrich, of Aiken county; city of Augusta, John S. Davidson and James Tobin; city of Savannah, D. I. McIntyre and Bierne Gordon; Georgia counties: Burke, J. M. Rodgers; Chatham, Alexander H. McDonald; Columbia, M. I. Branch; Lincoln, T. H. Remsen; Richmond, Patrick Walsh; Wilkes, T. C. Hogue; South Carolina counties: Abbeville, W. C. Benet; Aiken, D. S. Henderson; Anderson, E. B. Murray; Barnwell, L. W. Youmans; Edgefield, J. T. Bacon; Hampton, M. B. McSweeney; Laurens, J. J. Pluss. This committee was also ordered to act as a committee on business, and reported: "That a permanent organization be effected by this convention, to be known as the "Savannah River Association," the officers of which shall be a president, secretary and treasurer, with vice-presidents from each county represented in the convention, or that may be represented in subsequent conventions, and an executive committee of nine, to be appointed by the president. The president and secretary and treasurer to be the members of the executive committee. The main object of the permanent organization shall be the improvement of the Savannah River. It is to continue in existence until the work for which this convention has been called shall have been accomplished. The duty of the executive committee shall be to collect information and statistics in reference to the water-power, agricultural products, mineral resources, manufactures and population of the Savannah Valley, and to present the same in the shape of a memorial to Congress asking for such speedy consideration and substantial aid from the general government as will accomplish the long delayed but needed improvement of the navigation of the Savannah River. The executive committee can present such an array of vital statistics concerning the Savannah Valley country as to leave no doubts as to the justice of our petition for a large appropriation for the improvement of a river of inter-State importance.

"This convention represents a territory of 11,500 square miles, a population of 450,000, an annual agricultural product of $20,000,000 and an aggregate capital, in town, city and county property of over $100,000,000. According to Major Harry Hammond, in his admirable paper on the Savannah River, the official reports on file in the chief engineer's department at Washington, show that the navigable rivers on the Atlantic Slope, including tide-water, embrace in round numbers 2,500 miles, of which the Savannah River represents one-sixth. Exclusive of tide-water, there are only 800 miles of river navigation, of which the Savannah River represents one-third, or 270 miles. The government has expended over $10,500,000 to improve river navigation in other States, while it has appropriated only the meager sum of $90,000 for the Savannah River."

The report was adopted, and a permanent organization of the Savannah River Association was effected with the following officers: President, Hon.

Patrick Walsh; secretary and treasurer, Hon. M. V. Calvin. Vice-presidents, G. T. Tolley, Anderson; M. L. Bonham, jr., Abbeville; J. J. Pluss, Laurens; W. J. Ready, Edgefield; James Aldrich, Aiken; L. A. Ashley, Barnwell; M. B. McSweeney, Hampton; D. C. Wilson, Beaufort; J. H. Estill, Chatham; H. Gregg Wright, Effingham; J. T. Wade, Screven; James Tobin, Richmond; J. T. Smith, Columbia; T. H. Remsen, Lincoln; T. B. Breen, Wilkes; T. W. Swift, Elbert; John B. Benson, Hart; A. R. Yow, Franklin. Executive committee, James Tobin, Z. W. Carwile, W. C. Benet, L. W. Youmans, D. S. Henderson, W. W. Gordon and E. B. Murray, and the president and secretary *ex officio*.

In taking the chair, President Walsh said, among other things: "Whatever differences may have existed in the past between the two great parties which are striving for the control of this government in reference to internal improvements, both parties have decided that it is a wise policy to devote the money of the government to the work of internal improvements, and especially to improving the water-ways of the country. And the only reason this great work has been so long neglected, is because we have never before had a convention to urge our just claims. Colonel Davidson yesterday presented some wonderful figures, and I believe I can say I never before heard dry figures so entertainingly and eloquently presented. He told you that the counties interested in this work represent a total production from their farm lands of 6,860,000 bushels of corn, wheat and oats, and 226,000 bales of cotton, and that the people represent a wealth of a hundred millions of dollars. From the elaborate and valuable paper of Major Hammond we learn that the Savannah River is eighth in length in North America; that it has more miles of navigable water than any stream on the Atlantic Slope from Florida to Canada; of the total navigable length of all the streams on the Atlantic Slope it represents one-sixth, and subtracting tide-water navigation it represents one third. We find further this unjust discrimination—I say it is unjust, because our great national interests—that is our commerce—have been neglected by our government; we find that ten millions and a half have been expended on these streams by the government, while the Savannah River, representing one-third of the navigable water embraced in the whole, has received but the insignificant sum of ninety-four thousand dollars. As Mr. Benet has said, if this noble river ran through a Northern State it would have been made navigable to its utmost capacity; it would not only be made navigable, but the property of the people living along its course would be protected from inundation. When we go to Congress with the backing and support of this worthy and commanding constituency we go not only knowing and asking our rights, but demanding them. We represent one hundred millions of dollars, as compiled from the census of 1880; but I have a yet more remarkable statement to make than any that has yet been made on this floor, and that is that we have represented in this con-

vention in commerce, trade, manufactures, etc., two hundred millions of dollars annually. I make this statement advisedly; I think I can prove it. Savannah, which enterprising and prosperous city is so ably represented here, does a business representing one hundred millions of dollars; Augusta last year did a business of fifty-five millions of dollars. I am certainly within bounds when I claim that the rest of the country embraced in the Savannah Valley will complete the magnificent sum of two hundred millions. The reason we have not received just recognition at the hands of Congress is because we have not demanded it as we should."

The memorial to Congress, prepared and presented by the convention, is as follows:

"MEMORIAL TO THE CONGRESS OF THE UNITED STATES.

AUGUSTA, GA., February 1, 1888.

"*To the Honorable the Members of the House of Representatives, Washington, D. C.:*

"GENTLEMEN.—Your memorialists, representing the Savannah Valley Association, which was organized for the furtherance of the improvement of the Savannah River, respectfully direct attention to the fact that, while the Savannah Valley Convention, held in this city on the 25th and 26th ult., was composed of delegates from counties in Georgia and South Carolina immediately contiguous to the river, the subject of this petition is not a local matter, but, in the higher acceptation of the term, a question of national importanec.

"The respectful and earnest petition of the people in the Savannah Valley is that Congress will at once appropriate for the improvement of the Savannah a sum sufficient to make the river navigable to steamboats the year round. A glance at the maps will reveal a large area of country, distant from the present head of navigation one hundred to one hundred and fifty miles, that will be directly benefited by the improvement that will result from a reasonable appropriation.

"The character of the people who ask for this appropriation, and the possibilities of the belt of country which awaits that which will so greatly benefit it —low rates of freight—can be judged by the exhibit made by thirty-five counties in Georgia and twelve counties in South Carolina. Facts of a later date might be given, but we have chosen those developed by the census of 1880 and, for convenience, we will use round numbers.

THIRTY-FIVE COUNTIES IN GEORGIA.

5,800,000 bushels of corn valued at	$ 2,900,000
1,500,000 bushels of oats valued at	600,000
800,000 bushels of wheat valued at	800,000
Orchard products	160,000
250,000 bales cotton	12,500,000
Farm values, including buildings, etc	32,000,000
Farming implements	1,700,000
Value of live stock on farms	6,900,000

TWELVE COUNTIES IN SOUTH CAROLINA.

5,200,000 bushels of corn valued at	$ 2,600,000
1,600,000 bushels of oats valued at	640,000
700,000 bushels of wheat valued at	700,000
Value orchard products	50,000
250,000 bales cotton	12,500,000
Farm values including buildings, etc.	32,000,000
Farming implements	1,500,000
Live stock on farms	5,250,000
A total of	$116,300,000
Add 30 per cent	34,890,000
And you have a more correct estimate	$151,190,000

"We come to you with an interest representing $150,000,000, in the rural districts alone.

"In connection with this wealth of 20,000 square miles, consider that we have a population of quite one million thrifty souls; that the two cities, which are respectively the termini of navigation on the Savannah, transacted business in 1887 represented by $155,000,000; that this city has seven million dollars invested in manufacturing enterprises, and that her cotton factories consumed fully twenty-five per cent. of all the cotton manufactured in the South during 1887; that the cotton receipts at this point this year will be 200,000 bales, of which the factories in and near this city will consume fifty per cent.—consider all these facts and you will have a clear conception of the urgency of our appeal, and you will readily grant that the government ought not to hesitate in extending us a liberal hand in the advancement of a work which will healthfully affect a territory so rich in possibilities and so much in need of the complete utilization of one of the finest rivers on this continent.

"We cite an additional fact, namely, that exclusive of tidewater, the Savannah River constitutes one-third of the river navigation of the Atlantic States.

"Of the $10,500,000 expended by the government in river improvement, the Savannah has received up to date only $90,000.

"The Savannah River, above the city of Augusta, is capable of supplying 400,000 horse-power, equal in extent to the entire water-power of New England.

"The proceedings of the Savannah Valley Convention, hereto attached, show the deep interest which our people feel in the early improvement of the navigation of the Savannah River. The proceedings will interest you, and the reports which were submitted to the Convention cannot fail to convince you that our petition is reasonable and ought to be granted immediately.

"And your petitioners will ever pray, etc."

From the extremely interesting and valuable paper of Major Harry Hammond, referred to in these proceedings we have heretofore liberally quoted, but may here make a further extract. Major Hammond says: "We are informed by Maury's maps that the Savannah is the eighth river in length in North America, not excepting the Yukon, while the Hudson is ninth; what concerns us now is not the length, but the navigable length, and this means not what might be done in the way of navigation, but what has been accomplished, to what distance has freight as a commercial venture been habitually transported up the river? Mills's statistics of South Carolina, 1826, says, "boats of ten ton ascend the Tugalo to Pulaski, at the mouth of Brasstown and Panther Creeks." Mr. Carson confirming this tells us that the mouth of Panther Creek is 154 miles by water from Augusta. In the annual report of the chief engineer of the United States for 1885 the distance from Augusta to Savannah is stated to be 273 miles; in all 427 miles that is navigated. No river on the Atlantic slope, from Florida to Canada, has this extent; the Santee, with 184 miles, and the Hudson with 165 miles, comes nearest to it. If the total navigable length of all the rivers of this slope be added together, including the Savannah, it will be be 2,516 miles of navigable waters. Of this total the Savannah River furnishes one-sixth. If we subtract tidewater navigation there will be found a total of 790 miles of navigable stream for all the rivers of the Atlantic slope, and if eighteen miles of tidewater above Savannah be deducted, the river from that point to Augusta, the head of steamboat navigation, will furnish very nearly thirteen of all the navigable streams above tide water. On the improvement of all these rivers the government had expended to the 30th of June, 1885, the sum of $10,558,289, or about $4,196 per mile. There has been expended on the Savannah $94,000, or $220 per mile."

Shortly after the adjournment of the Savannah Valley convention, the *Chronicle* sent one of its reporters, Mr. E. B. Hook, on a steamer trip down the river in order to ascertain the present condition of the stream, and from his extremely well written account, we make some extracts. "After leaving Augusta the river passes for some ten or twelve miles between fertile plantations." Then, says Mr. Hook, "Going into the pilot-house we look out on the river, and the scene has changed. The fields on either bank have given way to dense woods of cypress, ash, gum, sycamore, maple and oak which extend to the water's edge, and every tree is festooned with long wreaths of gray moss. The river wends its silent way between, and the magnificent solitude is broken only by the throbbing of our engines or the splash of our water wheel. The sky has cleared overhead, and its blue canopy is reflected in the river below. The sun shines out brightly and throws a golden sheen across the water. As we turn a bend in the river a flock of wild ducks are startled at our approach, and, with discordant quacks, go scurrying over the face of the water in front of us. When they find themselves closely pursued by the speeding boat they

circle up high in the air, and soon disappear in the distance. Occasionally a wild turkey is frightened from an oak where he was feeding on the young buds, and with outstretched neck and awkward flight scuds off into the deeper forest. Perhaps several miles will be traversed without the sight of a living thing, when the stillness will be broken by a huge blue crane, six or seven feet from beak to toe and from tips of wings, flapping from the marsh on our left and with heavy flight crossing the river in advance of us, his long legs trailing behind him as though he were riding a stick horse. Now and then a squirrel, drinking at the river's edge, is startled by our approach and goes scampering up a neighboring tree to disappear in its branches.

"But, while we have been contemplating the beautiful scene, our boat has been covering the miles and we find ourselves among the 'Seven Points.' Technically speaking, a 'point' in a river is a place where it takes a sudden turn, sometimes at right angles, sometimes almost doubling straight back upon itself, so that your boat has to turn almost completely and travel in nearly an opposite direction. The inside bank, which the stream rushes around, and around which your boat must turn, is a 'point.' I give this much river lore to you as a pointer. 'Seven Points' is a collection of these sharp turns which follow close upon each other, and you have hardly rounded one safely before you are upon another. An idea of the light in which these points are regarded by the steamboatmen may be gained from the nomenclature of the river, and I give you a few of the names that you may judge. Taking them at random we have Wild Cat, Saucy Boy, Cat Finger, Ring Jaw, Whirligig, Devil's Elbow and Little Hell. Experiences that could have produced such a nomenclature will give you some idea of the tight times that a steamboat captain and pilot have. Around some of these points the river dashes in a narrow channel with a swift current, and the utmost skill must be used in steering and heading and backing to prevent being swept pell mell against the banks or into the trees that line them. Some of the worst of these points, though, could be remedied at little expense and by very simple means.

"In cases where the river doubles back on itself, flowing at an acute angle around a narrow bank that is covered with trees, and juts out a hundred yards, all that would be necessary would be to cut a canal five or six feet deep straight across for a hundred feet, and let the river run through it instead of around it, and in a little while it would eat away the point, or the first freshet would blow it completely out. If the government can once be interested in this river it can be made a safe and easy highway for much larger boats.

"Forty miles from Savannah, on a red bluff that overlooks the river, we came in sight of a rock church about a hundred yards from the river bank in a grove of trees. This is called Ebenezer Church, and is given out by the river men to be the oldest church in the United States. As Jamestown, Va., had been settled a century and a quarter before this section was, they could hardly

establish this claim. However, it is no new fledgeling. This church, which now remains as the solitary relic of a once flourishing town, is the "Jerusalem" church of 1744. Not far from it, I am informed, is an ancient cemetery; and as this stately old house of God, with its steeple pointing to heaven, faded away in the distance, I thought it seemed to stand as a divinely preserved finger-board for the spirits of those brave builders of long ago, to direct their flight when the great awakening shall come at the sounding of the last trump on the eternal morning.

"From this point on the river increased in beauty, the banks being lined with stately live oaks, decked with long streamers of gray moss. Twenty-five miles from Savannah we passed Purysburg, on the Carolina side. This old town is beginning to put on new life and to build up again its waste places. Soon after this we began to meet tide water. Further down we entered the land of rice, the fields stretching out on either side of the river, with their ditches intersecting them at right angles every few hundred yards. Soon we had left South Carolina off to our left beyond the backwater arm of the river, which empties into the stream again below the city of Savannah, and were traveling between Heard's Island and the main land. Then came Rabbit Island and the city of Savannah below us on the right. As we neared our wharf the city clock marked the hour of 5:30 P. M., showing that our actual running time from Augusta to Savannah had been ten minutes less than twenty hours, or twelve and a half miles per hour, an unusually fine run."

In a communication from the pilots and steamboatmen to the convention indicating the points on the river needing attention, we find many names equally as euphonious as those which attracted Mr. Hook's attention. After leaving Augusta the principal points, in order named, are as follows: Kirk's Bar, Sand Bar, Blue House, Cooney Gut, Miller's Bar, Rifle Cut, Buggs' Bar, Guinea Bar, Haines Cut, Hancock's Landing, Robinson Round, Steele Creek, Seven Points, Cunningham Bars, Stony Bluff, White Woman's Point, Ring Jaw Point, Brown's, Burton Ferry, King Creek, Mills' Landing, Matthews' Bluff, Cook's Field, Brier Creek, Cut Finger Cut, Poor Robin, Upper Cut, Blanket Point, Hudson Ferry, Hog's Nose Round, Parachucla, Frying Pan, Hickory Bend, Flat Dish, and Beck's Ferry. At Blanket Point the ribs of an old steamboat still whiten in the stream.

With this much as to the history of the efforts which have been made for nearly a century past for the improvement of the Savannah, we may resume the thread of narration as to the methods of transportation employed. It has been seen that for many years boats of some nine to ten tons burden navigated the river to and fro as far as 154 miles above Augusta. These were propelled by the brawny arms of pole-men, and the vessels employed in the trade on that part of the river between Augusta and Savannah differed only in being of greater size, though we have found mention of sail-boats being in use in this

trade. In reference to these boats several regulative acts were passed from 1806 to 1836. The first of these statutes prohibits any slave or free person of color from acting as commander, or "patroon," as the act styles it, of any boat engaged in the transportation of goods, wares, merchandise, or produce between Augusta and Savannah. In 1815 the owners or agents of boats engaged in traffic from Augusta to the headwaters of the Savannah, were required to furnish the patroon at time of starting on his voyage with a certificate or bill of lading, showing the destination of the boat, its cargo, and the names of patroon and consignee, which bill of lading was to be open to the inspection of any white person demanding it.

In 1816 another act was passed which required boat-owners and patroons to prohibit any slave, whether boat-hand or not, from carrying in their boats between Augusta and Savannah any corn, cotton, peas, or other produce as their property for sale, default being made an indictable offense. In the next year the provisions of this act were extended to boats navigating above Augusta, and as late as 1836 the prohibition was extended to live stock and poultry, and the act of 1815 relative to bills of lading was extended to all parts of the Savannah. But while the boat trade still flourished a half century ago, the steamboat had then become the great instrumentality of commerce below Augusta.

In considering the history of the steamboat on the Savannah we may well begin with some sketch of Mr. William Longstreet, its inventor, and may here reproduce what we have said of him on another occasion. "In St. Paul's Churchyard, Augusta, Ga., about midway down the walk on the western side of the church, is a venerable tombstone, with the following inscription: "Sacred to the memory of William Longstreet, who departed this life September 1, 1814, aged 54 years, 10 months and 26 days. 'All the days of the afflicted are evil, but he that is of a merry heart hath a continual feast.'"

This stone marks the last resting place of one who may be justly claimed as the inventor of the steamboat. Mr. Longstreet was born, as the above description indicates, on October 6, 1759, and seems early in life to have discovered the secret of steam navigation. In "Watkins's Digest of Georgia Laws," page 382 ,we find that, on February 1, 1788, the General Assembly passed "an act to secure Isaac Briggs and William Longstreet, for the term of fourteen years, the sole and exclusive privilege of using a newly constructed steam engine, invented by them." The digest does not give the text of this statute, but from a letter written by Mr. Longstreet to the governor of the State in 1790 we learn that the engine referred to must have been for use in a steamboat. This letter is still preserved in the archives of the State, and is as follows:

AUGUSTA, September 26, 1790.

SIR: I make no doubt but you have often heard of my steamboat, and as often heard it laughed at. But in this I have only shared the fate of all other projectors, for it has uniformly been the custom of every country to ridicule even the greatest inventions until use has proved

their utility. In not reducing my scheme to practice has been a little unfortunate for me I confess, and perhaps the people in general; but until very lately I did not think that either artists or material could be had in the place sufficient. However, necessity, that grand science of invention, has furnished me with an idea of perfecting my plan almost entirely with wooden materials, and by such workmen as may be got here, and from a thorough confidence of its success I have presumed to ask your assistance and patronage.

Should it succeed agreeable to my expectation, I hope I shall discover that source of duty which such favors always merit; and should it not succeed, your reward must lay with other unlucky adventures.

For me to mention to you all the advantages arising from such a machine, would be tedious and indeed quite unnecessary, therefore I have taken the liberty to state in this plain and humble manner my wish and opinion, which I hope you will excuse, and I shall remain either with or without approbation. Your Excellency's most obedient and very humble servant.

To GOVERNOR TELFAIR. WM. LONGSTREET.

The reader will perceive in this letter how Mr. Longstreet seems to smart under the ridicule accorded his invention. He speaks feelingly of having been laughed at for his pains, and all his consciousness of having done the world a service seems inadequate to console him. Tradition relates that he and his steamboat were made the subject of a contemporary comic song, a verse or two of which we have heard from a venerable citizen of Augusta:

"Can you row the boat ashore,
Billy-boy, Billy-boy?
Can you row the boat ashore,
Gentle Billy?
Can you row the boat ashore,
Without a paddle or an oar,
Billy-boy?"

Despite this ill reception, however, Mr. Longstreet never ceased to experiment upon his idea until he made it a success some years after. For a time, while engaged in perfecting his main invention of the steamboat, he applied steam to other uses, and at a very early period in this century we find him operating in Augusta at one time a steam cotton gin, and at another a steam saw-mill.

Thus, in the Augusta *Herald*, of December 23, 1801, we find the following: "On Sunday morning last, about two o'clock, fire broke out in the house containing Mr. Longstreet's steam machine. The fire had attained a considerable height before it was discovered, but the exertions of the citizens, who turned out with their usual alacrity, prevented its extending to any neighboring tenements. The building, however, in which the fire originated, together with a considerable quantity of cotton, which it contained, we are sorry to say, was entirely consumed, and the whole ginning machinery was destroyed. This accident seems to have been peculiarly unfortunate, as the ingenious proprietor of the works had, we understand, the day before completed a new boiler, which had, on trial, been found to equal his utmost expectations, and

enabled him with a single gin, and with a very trifling expense of fuel, to gin from 800 to 1,000 weight clean cotton per day."

In the same paper of June 30, 1802, a correspondent writes: "I have been several times to see the operation of the new steam saw-mill, recently constructed by Messrs. Longstreet & Griffin, and, from its simplicity am persuaded it may be rendered extensively useful, and be applied with great ease and conveniency to all kinds of heavy machinery. This mill, though in miniature, appears to have all the necessary machinery for saw-mills, and strikes about one hundred times per minute, without the aid of any wheel whatever, except the fly-wheel. So far as my judgment extends, and from the observations I have made, I have no doubt that an engine constructed on the plan of this mill may, in almost any situation, be rendered highly advantageous, and particularly so in those places where there may be plenty of timber, but few watercourses on which mills can be erected. As this machine is quite portable, I understand the proprietors intend taking it to Savannah and Charleston; and, as it may be rendered obviously important to the lower country in this and the adjoining State, it is presumable their ingenuity will be duly appreciated and patronized. Mr. Longstreet, who, I presume, is the principal, and to whom I have heard the patent belongs, does not hesitate to affirm that he can construct a mill on this principle to saw or grind to almost any extent."

We have seen it stated that in 1806 Mr. Longstreet finally obtained sufficient means to construct a steamboat according to his ideas, and successfully operated it on the Savannah River opposite Augusta, but have not been able to verify the information. In 1808, however, it is beyond question that he did so, and in the Augusta *Herald* of November 10, 1808, we find the following editorial mention of the fact: "We are happy to announce that Mr. Longstreet's experiments with his new invented steamboat have answered his most sanguine expectation. The lovers of the arts in this place, and the spectators have been extremely gratified by the different essays he has made, and no doubt remains on their minds, but his labors will be crowned with success, and that it will, were it necessary, add another proof that Americans are endued with genius." From the reference here to "the different essays he has made," taken in connection with the letter above quoted of 1790, it is quite likely that the statement of his having successfully operated a steamboat on the waters of the Savannah in 1806 is correct. If so, he is indubitably entitled to the honor of being the inventor of the steamboat, Robert Fulton's successful trial trip up the Hudson, in the *Clermont*, dating from August 7, 1807. If Mr. Longstreet's boat was not on the water till 1808, so that Fulton is entitled to the credit of having first operated the invention, the honor of excogitating the idea of steam navigation is still with the former, since, as we have seen, he receives a patent from the Georgia Legislature in 1788, and in 1790 mentions the steamboat by name as an invention of his, then well known, and it was not

until 1790 that Robert Fulton left the United States for Europe in order to perfect his education. After his return to the United States he became acquainted with Chancellor Livingston, who had paid great attention to the subject of steam as a motor, and in 1798 obtained from the New York Assembly the exclusive right to apply it to the propulsion of vessels. From this time Fulton began, in conjunction with the chancellor, a series of experiments which culminated in the *Clermont* in 1807. Considering that something over nineteen years elapsed from the time of the Georgia statute up to Fulton's final experiment, and that Longstreet never relinquished his idea in all that period, but constantly kept it before the public, it is not at all improbable but that in that prolonged period intelligence of the ingenious Georgian's idea extended throughout the then Union. In fact, we know that in 1789 John Stevens made some experiments towards steam navigation in New York, and that in 1790 John Fitch is said to have put a species of steamboat on the Delaware, circumstances tending to show Longstreet's idea had been noised abroad. This, of course, is but inference; but, however it may be, one thing in the history of steam navigation is perfectly well established, and that is that in 1788 William Longstreet, of Georgia, had conceived the idea of the steamboat, and either before, or about contemporaneously with, the famous trip of the *Clermont*, had, by the mighty agency of steam, made a vessel walk the water like a thing of life.

Mention has several times been made in this work of Judge John Schley, of Augusta as a gentleman prominent in all matters of development and progress in this vicinage in the early part of the present century. As might have been expected Judge Schley took great interest in the steamboat, and at one time had in one of his storage yards the machinery of one of Mr. Longstreet's boats. Mr. Robert Schley, a son of the judge, very well remembers the incident from having while a boy in playing with his companions about the yard, frequently seen these relics Not having paid any special attention to the nature of the machinery Mr. Schley could not in answer to our inquiries give any special description, but remembers that there was a great deal of it, and that it was of iron, a circumstance going to show that Mr. Longstreet was not reduced to the expedient mentioned in his letter of 1790 to Governor Telfair of constructing it of wood. Mr. Schley also informs us that he remembers very distinctly his father telling him that Mr. Longstreet's idea was to propel his boat by a series of poles so arranged that as the shaft revolved the poles would alternately strike the bottom of the river and thus push the boat forward. The paddle-wheel seems to have been first used on Fulton's *Clermont* on the Hudson.

In 1814 the Legislature of Georgia passed "an act to encourage an improved mode of transporting merchandize upon the waters of the State of Georgia," which recites as the reason of its enactment "that Samuel Howard, of the city of Savannah, hath presented his memorial to the General Assembly,

in which he proposes to adopt a new and improved mode of transporting merchandize upon the waters of the State of Georgia, by towing and warping the ships, vessels, boats, and rafts, in and upon which the same may be laden, by means of other boats or vessels impelled by the aid of steam, and it is right that those who bestow their time and money upon enterprises of public utility should be secured in the enjoyment of the fruit of their exertions and experiments." It then proceeded to enact that the exclusive right to use steam in the manner above specified should be vested in Samuel Howard and his associates on certain specified terms, to wit: Within three years from the passage of the act, Howard, his assigns, or associates were to have at least one such machine in operation and within ten years at least one on each river, except that as to the river Savannah the grant was not to be operative until the Legislature of Carolina had made a like grant. If there was a failure to continue operations at any one time for the space of a twelvemonth the grant was to cease and determine. It was also made lawful for the grantee to remove any obstructions in the Savannah, and place them on the banks thereof, and to place marks or buoys on any obstructions he did not see fit to remove. All goods transported on the Savannah by the grantee's machines were to be exempt from tolls imposed by the commissioners of navigation of that river. Any person infringing the privilege granted was to forfeit $500 for each offense and all his boats and machinery, and any person obstructing the grantee's machines or removing his beacons was to be fined $100.

By act of December 21, 1814, the Legislature of South Carolina concurred in the action of Georgia and vested Howard and his associates with exclusive right to tow and warp vessels by steam on the Savannah for twenty years. From this act we learn that one John L. Sullivan had taken out a patent for towing by steam, and that Howard was his assignee. It does not appear that Howard began operations under this act of 1814, but he seems to have enlisted quite a number of associates, and in 1817 the Legislature incorporated them as "The President, Directors and Company of the Steamboat Company of Georgia," confirmed to them all the privileges originally granted Howard, and gave them the exclusive privilege of navigating the rivers and other waters of the State with boats or vessels propelled by steam, whether employed alone or for the purpose of warping, towing, or otherwise impelling other boats or vessels, rafts, floats, or arks. The capital stock was fixed at $200,000 increasable by a two-thirds vote to $800,000. Within seven years the company was to have a steamboat in operation on each and every river under penalty of a loss of its exclusive privilege thereon ; a like penalty to be visited on the failure for a twelvemonth to operate a boat on any river after once beginning so to do, after the seven years. The company was made liable for all losses caused by fire or steam, if occasioned by their negligence or that of their servants or agents, and were entitled to insure freights. Any infringement was

punishable by a fine of $1,000 and forfeiture of the infringing vessel and her machinery. The incorporators were Albert Brux, William Cumming, John McKinne, Samuel Hale, Andrew Erwin, Henry Shultz, Benjamin Sims, Sheldon C. Dunning, William Scarborough, Jonathan Meigs, John Gurnin, Samuel Howard, Robert Isaac, Abraham Twiggs, Augustin Slaughter, Oliver Sturgess, William Hart, William Taylor, Charles Labuzan, Benjamin Burroughs, William Sims, Samuel P. P. Fay, Jared Grose, Elias Reid, Samuel Lark, Charles Howard, Basil Lamar, Barna McKinne, Joseph Grant, James Erwin, James G. O. Wilkinson, Thomas Talmage, Walter Crenshaw, Augustus Brux, and David McKinne, a very large number of whom were citizens of Augusta. In the same year in which the Steamboat Company was incorporated the Legislature appropriated the sum of $250,000 as a permanent fund for the improvement of internal navigation in Georgia, and directed the governor to invest the same in bank or other profitable stock, the interest from the fund to be applied as directed by the Legislature.

In 1818 Governor Rabun informed the Legislature that bank stock commanded too great a premium to warrant investment, but that he had purchased two hundred shares in the stock of the Steamboat Company for $100,000, being par. By the terms of the contract of purchase the company was to secure the State by a mortgage on real estate for the $100,000 and eight per cent. interest thereon. By the next year the company appears to have begun operations on the Savannah River, the joint committee on internal improvements reporting: "With regard to the Savannah River from Augusta down, we have the pleasure of stating that an efficient use of machinery appears to have been introduced into their system of operations."

By 1823 the Steamboat Company was in full operation on the Savannah, and possibly on other rivers. At the same time there was a steamboat line operating from Hamburg to Charleston. While the distance from Hamburg to Charleston was about twice as great as from Augusta to Savannah, the freight on the Charleston line was no more than that charged on the other. The consequence was that the cotton of Upper South Carolina went *via* Hamburg to Charleston, to the detriment of Augusta and Savannah. Between Hamburg and Charleston competition in the steamboat business was free, and this competition had forced rates down. The monopoly enjoyed by the Steamboat Company of Georgia enabled them to fix their own rates between Augusta and Savannah. Recognizing the advantage given her by this state of affairs South Carolina fostered the commerce of Hamburg in every way. In 1821 the town was exempted for five years from taxation and at a later period it is stated that a bounty of $100,000 was voted to sustain it in its competition with Augusta. It was not long before memorials begun to pour in upon the General Assembly of Georgia, which appointed a special joint committee to consider the grievances complained of by Augusta, Savannah, and Darien.

This committee made a voluminous report which begins by saying that the commerce of those cities has wofully fallen off, that rents have suffered an unprecedented diminution, notwithstanding which half the houses are vacant, that real estate has diminished in value one-half, and that the income of all classes dependent on commerce is constantly decreasing. The causes of this decline, the committee then proceeds to consider. One prominent cause it finds in the monopoly enjoyed by the Steamboat Company as respects steam transportation between Augusta and Savannah. While it is admitted that freights have been reduced by the use of steam, as compared with what they were before, it is found that they are not as low as they would be if there were no monopoly, and for proof of this it is shown that freights by the Charleston line where competition was free are, proportionate to distance, but half as much as those on the Georgia line. The report says on this subject: "The bounty of Providence has given us a noble river. The ingenuity of man has taught us to navigate it by steam, and we have marred these blessings by closing it against individual enterprise. The waters of the Savannah, which every principle of sound policy required us to preserve as free as the breezes of the mountains from whence they flow, are hermetically sealed by legislative enactment against the adventurous spirit of our citizens The rights which have been granted must be respected The plighted faith of the State must be preserved. But if it shall appear to the Legislature that the existence of these rights is injurious to the commercial and agricultural interest of the State, that the injury which they operate is not confined to the inhabitants of Savannah and Augusta, but extends to all who deal in the markets of these cities, that it is not limited even to them, but embraces also the inhabitants of Darien, and that portion of our citizens who dwell on the waters of which it is the outlet to the ocean; that the aggregate of this loss amounts up to a sum more than sufficient to extinguish this chartered claim with the full and free consent of the proprietors; that the means are within the control of the State, without the advance of a dollar from its treasury, then it is respectfully suggested by the committee that the duty to do so is imperative, that it is demanded by a due regard to the interests of the people of Georgia. The Steamboat Company is indebted to the State in the sum of $100,000. It is understood that the stockholders will be willing on the release of this debt to relinquish all claim under their charter. Can it be doubted that sound policy requires the adoption of the measure?" The committee therefore offered the following among other resolutions looking to the improvement of the commercial status: "That it would greatly conduce to the interest of the State at large, and would essentially promote its commerce, if the rivers of the State were open to the individual enterprise of its citizens, to accomplish which it is necessary to obtain the voluntary surrender of the chartered rights of the Steamboat Company of Georgia; and it being understood that the stockholders in the said company

will be willing to surrender their claims under said charter on being released from the debt due by them to the State, it is expedient to release the said debt on the condition of receiving such surrender, and his excellency the governor be authorized and requested to take the necessary measures for carrying this into effect."

These recommendations passed in the shape of a resolution, "That his excellency the governor be requested to ascertain from the Steamboat Company of Georgia the lowest terms on which the said company will surrender its charter to the State and that he be requested to communicate the result, together with such information as he may be able to obtain, tending to show the expediency or inexpediency of the State's making the said purchase to the next Legislature."

In 1824 the Steamboat Company memorialized the Legislature to rescind the contract of 1820, whereby $100,000 of the internal improvement fund had been invested in its stock. While called an investment, the transaction seems to have been a sort of conditional loan to the company, of which it had then repaid $32,000, and the answer to the memorial was that if the company would in six months thereafter pay into the treasury $68,000, and surrender its exclusive right of steam navigation of the rivers of the State the State would return the company its stock and mortgages, rescind the original agreement of loan and give the company an acquittance in full of all demands. The next year the company tendered the governor the sum of $68,000 in bills of the Bank of Darien, which his excellency declined to receive on the ground that he construed the resolution to mean gold and silver, or specie funds.

After this we find no trace of any effort to deprive the Steamboat Company of its exclusive privileges. To the contrary, in 1833, the company was authorized to run a railroad or canal from Augusta to such point below the shoals and obstructions near the city as it might deem advisable, and for this purpose was authorized to condemn such land as might be necessary for the road bed or canal, and for three hundred feet on either side. No other canal or line of rail was to be constructed within ten miles of the route selected by the company, without its consent. For twenty-five years the company was to have the right to use its railroad or canal, and at the expiration of that time the State was to have an option upon it at par value, but if not then bought the property and franchise were to remain to the company forever. In the same year the Central Railroad was incorporated, and in 1838 the Augusta and Waynesboro road, now the Augusta and Savannah, and the completion of these connecting systems was probably the cause of no action being taken by the Steamboat Company.

In 1834 the charter of the Steamboat Company was extended for twenty years after December 19, 1837, the termination of its original charter, but without the exclusive privilege originally granted. The act declares that after De-

cember 19, 1837, the exclusive franchise section of the charter shall stand repealed, but it is evident that some years before that the company had intimated its acquiescence in the chartering of other steamboat lines. The first of these charters being in the year 1834 when the old company's charter was granted, there was probably some tacit understanding whereby in consideration of an extension the company was not to enforce its exclusive franchise against new lines.

Be that as it may, in 1835 sundry citizens of Augusta and Savannah, namely Amory Sibley, Gazaway B. Lamar, John Bones, Moses Roff, Charles Lippitt, John M. Adams, David W. St. John, James Hubbard, William P. Rathbone, Samuel D. Corbitt, and David L. Adams, were incorporated as the Iron Steamboat Company, with a capital stock of $100,000, in shares of $100 each, increasable by a two-thirds vote to $400,000. The company was authorized by steamboats, or any other kind of vessels, to navigate any of the waters of Georgia for passenger or freight traffic, and to insure freights against fire or marine loss. There were to be twelve directors, seven resident in Augusta and five in Savannah. The main office was to be in Augusta, and the Savannah directors were to manage the business at that end of the line.

In 1836 the Savannah and Augusta Steamboat Company was incorporated with a capital of $80,000, increasable by a two-thirds vote to $150,000. This company was authorized to navigate any of the waters of the State with vessels propelled by steam, either employed alone, or in warping, towing, or otherwise impelling other boats and vessels, rafts, floats, or arks. The incorporators were Samuel B. Parkman, William Duncan, Henry Harper, J. and W. Harper, John P. King, G. B. Cumming, Benjamin Burroughs, Edward Padelford, Fay & Co., Adams & Burroughs, Samuel D. Corbitt, Daniel Kirkpatrick, and John S. Combs.

In 1851 George W. Garmany, Moses A. Cohen, Jeremiah W. Stokes, Orlando A. Wood, Joseph J. Claghorn and John Cunningham, jr., (Wood, Claghorn & Co.), Alexander Thomas, James Skinner, Andrew Burnside and Edward J. Jones and Samuel N. Papot (Jones & Papot), were incorporated as the Union Steamboat Company of Georgia and South Carolina, for the purpose of conducting a carrying trade by steam and other boats on the Savannah River, with a capital stock of $21,500, increasable to $100,000. From running between Hamburg, Augusta and Savannah, this line was often called the Augusta and Hamburg Steamboat Company.

In 1859 James J. Field, Eliel Lockhart, Drury B. Cade, Joel T. Lockhart. Foster Blodgett, jr., and William Gibson were incorporated as "The Augusta. Petersburg and Savannah River Steam and Pole Boat Navigation Company of Northeastern Georgia," with a capital of $100,000, increasable to $1,000,000. The object of this company was the opening and clearing out a channel in the Savannah and Tugalo Rivers to the Georgia boundary line so as to admit the

passage of light steam and pole boats of at least fifty tons burden. The office was fixed at Augusta, but the company did not get into operation, the war soon afterwards breaking out.

By act of September 22, 1887, Zachariah McCord, James Tobin, James J. Dicks, Joseph H. Day, and Benjamin H. Smith, jr., were incorporated as the Augusta Steamboat Company. The previous incorporation of this company under the general navigation act of 1881 was confirmed, and it was declared that as the charter was granted to secure water navigation and the benefit of competition, any contract by it with any railroad company intended to defeat competition or encourage monopoly should be void, and the stock of any officer or stockholder concerned in such agreement should be ferfeited, and to that end any stockholder, or any merchant in Augusta, or any member of the Augusta Exchange might institute proceedings.

This closes the list of incorporated steamboat companies doing business on the Savannah from Augusta, and it but remains to trace the history of the vessels employed.

The first use to which steam was put was, as has been seen, in towing or warping. The early steamboats were mere tugs of small power, which painfully towed the ordinary river boats, or arks, along the straight stretches of the river, and warped them around the bends. The next step was that the steamboats were made longer and stronger, and with a barge lashed on either side plowed their way up and down the stream. Then the third era was entered on and the steamboat itself carried the freight. During all this while the side-wheel was used, and it was considered a very startling and useful innovation when Mr. John Moore adopted the idea in vogue for some years prior on the Western rivers, and employed one large stern wheel, thus enabling the width and consequent carrying capacity of the vessel to be greatly increased.

The names of most if not all the steamboats navigating the river have been preserved to us, and we have pretty full accounts of the catastrophes closing some of their careers. The Steamboat Company of Georgia had at various periods some thirteen boats: the *Enterprise*, *Sam Howard*, *Savannah*, *Augusta, (No. 1)*, *South Carolina*, *Georgia*, *Tugalo*, *Cherokee*, *Tennessee*, *T. S. Metcalf*, *D. L. Adams*, *Augusta (No. 2)*, *Chatham*. The boats named *Augusta* had ill-luck, the *Augusta No.* 1 being destroyed by fire at the city bridge, and the *Augusta No.* 2 burned at Gray's Point. The *D. L. Adams*, was sold for use on a South American river, and the *Chatham* was captured while running the blockade during the war.

The Iron Steamboat Company ran six boats: the *Free Trade*, *John Randolph*, *Lamar*, *Hamburg*, *Sibley*, and *W. H. Stark*. The *Hamburg* was burnt at Hager Slager, and the *Stark* sunk at Silver Bluff.

The Savannah and Augusta Steamboat Company had three boats, the *Oglethorpe*, which blew up at Beck's Ferry; the *Elbert*, which was burned at Buzzard's Bay, and the *Hamburg*.

The Steamboat Company of Georgia and South Carolina, commonly called the Augusta and Hamburg line, had two boats, the *H. L. Cook* and the *Oregon.* The latter sunk in 1854.

The Augusta Steamboat Company of 1887, has two boats, the *Progress* and the *Advance*, both built at Augusta.

Besides the incorporated companies there were a number of private lines. Gazaway B. Lamar ran eight boats, the *William Gaston*, built at Augusta; the *Governor Taylor*, *G. B. Lamar*, *Free Trade*, *John Randolph*, *Mary Summers*, *De Rosette*, and *Lamar.* The *Free Trade* and *Lamar* were Iron Steamboat Company's vessels. The *G. B. Lamar* was burnt at Savannah; the *Free Trade* blew up at Baldnaker's Point; the *John Randolph* was destroyed at the bombardment of Charleston, and the *Lamar* was captured running the blockade. The *Mary Summers* was used in the Mexican War.

Samuel Moore and Thomas N. Philpot ran the Fashion line at the outbreak of the war, consisting of the *John A. Moore*, burnt afterwards on the Edisto River; the *Talomico*, sunk at Blanket Point, and the *Columbia.*

There were some twenty odd other boats running at various times before the war between Savannah and Augusta, many of which were the subject of disaster. The *Christopher* was burnt at Blanket Point; the *Governor Troup*, at Half Moon; and the *Ell Cell*, on the South Carolina coast; the *Sylvan* was burnt, as also the *R. H. May*, which was burnt a short distance below Augusta. It was the first steamboat from Augusta to Savannah after the cessation of hostilities. The *Amazon* was sunk at Sand Bar ferry; the *Elize*, at Old Keefe's Point; the *Leesburg*, at Gray's Point; the *Hard Times*, at Kirk's Bar; and the *R. E. Lee*, within a mile of Savannah; the *Eclipse* blew up at Mill Stone Landing; and the *J. G. Lawton*, at Gum Stump Landing. The vessels which lived out their lives were the *Washington*, on which La Fayette visited Augusta; the *Ivanhoe*, *Forester*, *Santee*, *Hancock*, *Fashion*, *Columbia*, *Union*, *Express*, *Inez*, *St. Claire*, and *Baudry Moore.*

The Charleston line, or the one plying between Hamburg and Charleston, had fifteen boats: The *Henry Shultz*, which blew up at the Augusta bridge from an explosion of powder in her hold; the *William Lowndes*, burnt at Flour Gap; *Cain*, burnt at the foot of Campbell street, near the present location of the Riverside Mills; the *Caledonia*, sunk about the same place; *St. John*, sunk at Gray Point; *Edgefield*, sunk at Burton's Ferry; *Duncan McCraig*, blown up at dock; the *Pendleton*, *Liberty*, *Andrew Jackson*, *John D. Morgan*, *John Stoney*, *William Seabrook*, *Charleston*, and *Augusta* of Charleston.

It will be seen that about seventy steamboats navigated the Savannah from about 1820 to 1865. As many as fifteen in a week would arrive and depart, but the dangers of the voyage were many. About thirty were destroyed, some thirteen burned, six blown up, and eleven sunk. Three were lost at Gray's Point, two at Blanket Point, the rest scattered along the river.

Since the war the boats put on the river have been the *W. T. Wheless*, burnt at Savannah; the *Alice Clark*, lost on the Carolina coast; the *Mary Fisher*, sunk at Parachucla; the *Katie*, the *Ethel*, *New South*, *Progress*, and *Advance*.

Before passing from the subject of the Savannah River we must give some account of the bridge over that stream at Augusta, the same having been a great highway of traffic with the city for about one hundred years. In 1768 the Colonial government established a ferry from the center of the city to the bluff just opposite, on the Carolina shore. In 1790 this ferry franchise was lodged by the Legislature of Georgia in Wade Hampton, of South Carolina, with the further right to build a bridge over the river at or near the ferry site. The bridge was to be at least sixteen feet in width, and, as a rent therefor, Hampton was annually to pay to the commissioners of Augusta fifty pounds sterling, securing such rental by a mortgage of the bridge and one acre of land on the South Carolina side, on which the bridge abutted. The master, professors, and all students for the time being, of Richmond Academy were forever to pass free, but on all others Hampton was empowered to levy a toll according to rates specified in the act: Foot passengers, threepence; man on horseback, sixpence; four-horse wagon, loaded, four shillings and eightpence, etc. The bridge was to be ready for use February 17, 1791, and this condition seems to have been complied with. The "Yazoo Freshet," of 1796 swept it away, and in the next year the Legislature renewed Hampton's grant and gave him two years in which to replace the structure. It appears that in 1799 this was done, but some years later this new bridge was destroyed, and in 1809 the Legislature empowered Walter Leigh and Edward Rowell to construct another with following tolls: Foot passengers, six and one-fourth cents; hogshead of tobacco, twenty-five cents; four-horse wagon loaded, $1, etc., etc.

This, too, was destroyed, and in 1814 the Legislature granted the bridge franchise to John McKinne and Henry Shultz. In 1813 the Legislature of South Carolina had granted Henry Shultz and Lewis Cooper the right to build a toll-bridge from the South Carolina bank to Augusta. Cooper assigned his interest to John McKinne, and hence in 1814 the above stated Georgia grant. At the time this was made McKinne and Shultz had already constructed "a strong, elegant, and substantial bridge." The Carolina and Georgia grants agreed in their rate of toll, which was as follows: Wagon and team, or four-wheeled carriage, seventy-five cents; two-wheeled carriage or cart, thirty-seven and one-half cents; rolling hogshead, twenty-five cents; man and horse, twelve and one-half cents; foot passenger, six and one-fourth cents; cattle, six and one-fourth cents; hog, sheep, or goat, four cents.

Prior to 1823 the Bank of the State of Georgia had become the owner of the bridge, the same having been sold on execution against McKinne and Shultz, and in that year the legislative committee appointed to inquire into the causes of Augusta's then commercial decline, found as one of the reasons that business

was driven away by the tolls levied at the bridge. They therefore reported "that it would greatly conduce to the prosperity of the commerce and agriculture of the State, by preventing the diversion of the former from Augusta and Savannah to Hamburg and Charleston, to purchase the bridge over Savannah River between Augusta and Hamburg, and to render it free under proper regulations to persons trading with Augusta. And that the same may be done without any advance of money from the treasury, either by the transfer of stock held by the State in the Bank of the State of Georgia, the present proprietors of the bridge, or by a pledge of the taxes of the county of Richmond for a term of years equal to that during which the citizens of Hamburg are exempted from taxation [*i. e.* five], the Bank of the State of Georgia having signified its willingness to transfer the same, at cost, for the purpose aforesaid." The report was tabled, and matters, therefore, so far as the bridge was concerned, remained as before.

In 1830 the Legislature of South Carolina renewed to the Bank of the State of Georgia the bridge franchise granted to Shultz and Cooper in 1813, for the period of fourteen years after the expiration of the old franchise in December, 1834, and in 1833 the Legislature of Georgia renewed to the Bank for ten years the franchise given by it to Shultz and McKinne.

In 1834 the Legislature conferred on J. K. Kilburn, James Harper, Jonathan Meigs and William Harper, their associates and assigns, the right to build a bridge across the Savannah at the western end of the city from the end of McKinne or Mill street, and to charge the same rates of toll thereon as were allowed at the lower bridge. This bridge was swept away in the freshet of 1840.

In 1838 the Bank of the State of Georgia sold the lower bridge to Gazaway B. Lamar, and in 1840 Lamar and the then owners of the upper bridge sold both to the city council of Augusta.

In 1840 the Legislature confirmed this purchase, and enacted that council should thenceforth "have all the powers, authority, and privileges vested by law in the late owners of said bridges, and the exclusive privilege of building, erecting, and keeping up bridges across the Savannah River at Augusta within the corporate limits of said city (which are hereby extended on the north over said river to the boundary line between this State and South Carolina), with power to collect the toll now authorized by law, in relation to the bridges standing at the time of such purchase. Provided that nothing in this act contained shall be so construed as to impair the right, title, claim, or interest of any person or persons in and to the lower bridge, commonly called the Augusta bridge."

Out of this act grew an acrimonious controversy as to the true boundary line between South Carolina and Georgia. The whole question supposed to have been settled by the convention of Beaufort was reopened, and while the right of the city council of Augusta to maintain and operate the lower bridge

was established in the litigation which ensued, it appears that this result was arrived at on principles which left the boundary question still open.

In 1813 South Carolina granted Shultz and Cooper the right to operate a toll-bridge over the Savannah for twenty-one years, or till 1834. Shortly thereafter Cooper assigned his interest to John McKinne. In 1814 Georgia granted Shultz and McKinne a similar right for twenty years, or until the same period as the Carolina grant, to wit: 1834. The bridge was built by Shultz and McKinne under these concurrent grants, and about 1823 became the property of the Bank of the State of Georgia by purchase. In 1830 South Carolina renewed the Shultz-Cooper grant to the Bank for fourteen years after the expiration of that grant, or till 1848. In 1833 Georgia renewed its Shultz-McKinne grant to the bank for ten years after its expiration, or up to 1844. In 1838 the Bank sold the bridge to Gazaway B. Lamar, who in 1840 conveyed to the city conncil of Augusta. In the same year Georgia confirmed this purchase and granted the council the exclusive right to maintain bridges across the river within the corporate limits. Up to 1843 the city held as assignee of Lamar and under the South Carolina renewal of 1830 and the Georgia renewal of 1833. After 1843 and up to 1848, the expiration of the Carolina renewal, the city held, so far as South Carolina was concerned, under that renewal, but 1848 arrived, the Carolina renewal expired, and the war began. In 1845 South Carolina had vested the bridge franchise in the South Carolina Railroad Company from and after 1848, but in 1848 this grant was withdrawn and the franchise granted to Shultz and McKinne with the proviso that they should not collect toll until the litigation then pending in the Supreme Court of the United States as to the right of the city to the bridge was determined. It was there held that the city had the rights of the State Bank, and was therefore a grantee under South Carolina till 1848. In 1849 South Carolina granted the bridge franchise to Shultz and McKinne with the right to take toll, the idea being that the grant to the city council had come to an end in 1848. As matters then stood, the city had a Georgia grant and Shultz and McKinne had a Carolina grant. It was claimed that the Georgia grant was all sufficient upon the ground that the jurisdiction of Georgia extended to the northern bank of the Savannah. South Carolina denied this and a voluminous correspondence ensued between the officials of the two States. The South Carolina Legislature denounced the levy of tolls at the bridges as an "obstruction to the commerce and intercourse between the people of Georgia and South Carolina." Colonel I. W. Hayne, attorney-general for South Carolina, presented an extended report to Governor Means of that State, going to show that the jurisdiction of Georgia only extended to the middle of the stream. A copy of this was transmitted to Governor Howell Cobb, of Georgia, who claimed that his State owned to the north bank, Attorney-General Hayne rejoined, and Governor Cobb laid the matter before the Georgia Legislature. After a time the controversy died

down, but no one can read the official correspondence without recognizing that the real boundary was left as unsettled as it was found. The present laws of South Carolina say the Savannah River is the boundary between that State and Georgia, "the line being low-water mark at the southern shore of the most northern stream of said river where the middle of the river is broken by islands and middle threads of the stream where the river flows in one stream or volume." The present laws of Georgia say: "The boundary between Georgia and South Carolina shall be the line described as running from the mouth of the River Savannah, up said river and the rivers Tugalo and Chattooga to the point where the last named river intersects with the thirty-fifth parallel of north latitude, conforming as much as possible to the line agreed on by the commissioners of said States, at Beaufort on the 28th of April, 1787." What was agreed on remains, as has been seen, disputed.

In 1827 the Legislature of South Carolina authorized the formation of a company to construct a canal or railroad between Charleston and Hamburg, which is the origin of the South Carolina Railroad, one of the oldest, if not the oldest in the United States. In 1833 it was in operation between Charleston and Hamburg, and in 1836 entered Augusta. With the success of this then novel experiment the railroad history of Augusta begins.

In May, 1828, the first company was organized, and the next year one hundred feet of railroad track were laid in Charleston along Wentworth street, and the first car drawn by a mule. In June, 1829, the stockholders directed the beginning of the road between Charleston and Augusta. The first mile of the road was built in 1830, and the cars were propelled by large sails. The first steam locomotive ran over the road in 1831; capacity of freight cars, 6,000 pounds; seating capacity of coaches thirteen persons. In 1836 Augusta and Charleston were connected. The Columbia branch was completed in 1842, and shortly afterwards the two roads were consolidated under the name of the South Carolina Railroad Company. It is unnecessary to dwell longer upon the early history of the road or to more than mention its many vicissititudes during the war and immediately after. The company lost heavily by the war, and was left in a most deplorable condition financially and otherwise. It managed to struggle along, however, until 1878, when the old road was put into the hands of a receiver.

Shortly after this event the road was bought by its present owners, and became the South Carolina Railway Company, when as by the touch of a magic wand there sprang up palace cars, swift locomotives, steel rails, mogul engines capable of hauling fifty cars, freight cars of forty thousand pounds capacity, immense wharves and warehouses at tide water where ships can unload directly into the cars, neat and improved stations all along the line, and a general air of thrift everywhere, demonstrating that the new life infused in the corporation affected all with which it came in contact.

The wharves, as mentioned above, of the South Carolina Railway now run to tide water, where they have a wharf frontage of one thousand feet. The depth of water at low tide is twenty-five feet. The largest ships can come alongside at any time, and eight or nine vesels can be loaded or unloaded at one time. There are two warehouses with storage room for fourteen thousand tons bulk guano; a storehouse for general merchandise of three thousand tons capacity, and four other storehouses of two thousand tons. There are one hundred thousand square feet in wharf room. An automatic railroad runs from the edge of the wharf back into the warehouses. Bulk guano is unloaded from the ships by a derrick which projects from the elevated road directly over the ship. Great iron buckets are lowered and raised from this derrick by steam, the buckets descending rapidly into the hold of a ship, where they are filled and immediately hoisted up to the automatic car. As soon as the car is loaded, it moves off by its own weight, rushes along the railroad and disappears into the warehouse, where its load is dumped into bins, and the cars return like a flash to the starting point, ready for another load. All this work is done automatically. Freight is loaded and unloaded from ships by an endless movable platform, something on the order of a treadmill. The boxes and packages, placed on one end, are carried smoothly along without the slightest jar to the place where they are to be taken off. The whole is worked by steam. Cotton shipped from Augusta, for foreign or domestic ports, can be unloaded from the cars into the ships.

The success of the South Carolina Railroad stimulated like enterprises in Georgia. In 1831 the Legislature authorized "the formation of a company for constructing a railroad or turnpike from the city of Augusta to Eatonton, and thence westward to the Chattahoochee River, with branches thereto." The company was to be called the Augusta and Eatonton Turnpike and Railroad Company. Its capital was fixed at $1,000,000, with liberty to double the same, and subscriptions were to be taken under the superintendence of commissioners at Eatonton, Milledgeville, Sparta, Warrenton, Monticello, Madison, Greensborough, and Augusta, the commissioners at the latter place being William Cumming, Samuel Hale, and P. H. Smead. On $350,000 of stock being subscribed the company was *ipso facto* to be formed, and an election was then to be held for a president and twelve directors. In this election shareholders were to vote by the following scale: 1 to 2 shares, 1 vote; 3 to 4, 2; 5 to 6, 3; 7 to 8, 4; 9 to 11, 5; 12 to 15, 6; 16 to 20, 7; 21 to 26, 8; 27 to 33, 9; 34 to 40, 10; and for each 10 over 40, 1 vote. The charges were fixed at not to exceed fifty cents per one hundred weight, and twenty-five cents per cubic foot on articles of measurement, for each one hundred miles, and six cents per mile for passengers. The company was exempted from taxation for ten years, and given the right to farm out its franchises. This seems the first railroad act in Georgia, and while never becoming operative, having been repealed two years after, serve to show that Augusta first contemplated railway transit in the State of Georgia.

In 1833 there was passed "an act to incorporate the Georgia Railroad Company, with powers to construct a rail or turnpike road from the city of Augusta, with branches extending to the towns of Eatonton, Madison, in Morgan county, and Athens, to be carried beyond those places in the discretion of said company." The company to be organized under this act was directed to confine its first efforts to the completion of a railroad communication between the city of Augusta and some point in the interior of the State, to be determined by the stockholders, and, on the completion of such communication, which was to be called the Union Railroad, to construct three branch roads, one to Athens, one to Eatonton, and one to Madison, and if it deemed proper, to continue the Athens branch to the Tennessee River. For thirty-six years the company was to have the exclusive right of constructing railroads to Augusta from any point within twenty miles of said main line and branches. The stock of the company was fixed at 15,000 shares of $100 each, and the organization was to be completed on this basis, but thereafter was increasable to such amount as the company might think its necessities required.

To open subscriptions commissioners were appointed in the following places for the shares of stock mentioned, namely: Athens, 2,500; Eatonton, 2,500; Madison, 2,000; Greensborough, 1,500; Warrenton, 500; Crawfordville, 500; Washington, Lexington, Appling, and Sparta, each 1,000; and Augusta, 1,500, Thomas Cumming, William H. Turpin, William C. Micou, and John W. Wilde being the commissioners at that point. The books were to be opened on February 5, 1834, and remain open ten days, at the end of which time the lists were to be sent the Athens commissioners, William Williams, James Camak, Stephens Thomas, and William Dearing, who were to aggregate the subscriptions, and if five thousand shares had been taken, were to call a general meeting of stockholders for organization, the residue of the stock to be sold subsequently. Each stockholder was entitled to one vote for each share, and a president and twelve directors were to be elected, to serve twelve months. The company on being organized was to be known as the Georgia Railroad Company. It was authorized to condemn such land as might be necessary for its purposes and was empowered to build railroads, or common roads for the use of steam carriages thereon, in its discretion. It was given the exclusive right to transport freight and passengers over its lines, provided the tariff did not exceed fifty cents per hundred weight on heavy articles, and ten cents per cubic foot on articles of measurement for each hundred miles, and five cents per mile for passengers. (This clause of the charter has been construed by the Supreme Court of the United States as giving no right to the company to fix its own charges, not exceeding the maximum stated, but as granting simply the exclusive right to transport, leaving the State free to fix charges in its discretion by means of a railroad commission or otherwise.) After the expiration of thirty-six years from the completion of any of the roads mentioned in the

charter to Augusta, the exclusive right of the company to build and use railroads within twenty miles of its lines, was to lapse, but as to its own works the charter was perpetual. The stock was exempt from taxation for seven years after completion of any of the lines, and thereafter was only to pay a tax of one half of one per cent. on net income. This clause, also, has been before the Supreme Court of the United States and by that tribunal held to be a contract between the State and company, which forever inhibits the former from any other or higher rate. It was further provided that whenever the holders of as many as three thousand shares should unite to build any of the branch roads, they should become a separate company or companies, and be called respectively the Eatonton Railroad, the Greensborough and Madison Railroad, and the Athens Railroad, but such separate companies, if formed, might unite with each other.

This act was the result of the successful completion of the South Carolina Railroad. On July 4, 1833, that line was in full operation between Charleston and Hamburg, and its stock which up to that time had been a drug in the market, was quoted at 105. The fare for the full trip, 136 miles, was $6.75, with an allowance of 75 pounds of baggage; for less distance, five cents per mile. The company had five engines, the "Best Friend," having four wheels, received December 1, 1830, and costing $4,000; the "West Point," four wheels, received April 2, 1831, and costing $3,250; the "South Carolina," having eight wheels, received January 3, 1832, cost $5,000; the "Charleston," eight wheels, received March 4, 1833, cost $5,750, and the "Edisto," eight wheels, received June 5, 1833, cost $5,750. On May 10, 1833, its receipts were from freight, $67.22; passengers, $49.65; total, $116.87; and for the week ending May 10, it reports 400 passengers carried, showing an annual carriage of some 20,000 passengers, and a gross revenue of about $43,000, small figures now, but great then.

In Augusta a public meeting to consider the building of a railroad from Augusta to Athens, was called for July 20, 1833, by Samuel Hale, W.W. Montgomery, James M'Laws, William T. Gould, and John P. King, and at the meeting Henry H. Cumming, W. W. Montgomery, James Harper, James W. Davies, and William C. Micou were appointed a committee to organize a company.

The result was the act above mentioned. The line from Augusta to Athens first received attention and sometimes was called the Athens Railroad Company, as in an act of 1834 in which the city council of Augusta and trustees of Richmond Academy were empowered to convey to the company ten acres of the town common lots, but in 1835 a healing act was passed in which it was declared that the true name was the Georgia Railroad Company, and confirmed to that corporation all conveyances under the other style.

In 1835 the charter of 1833 was amended. The amendatory act opens with a recital "that the people of the West have in contemplation to make a

communication between the city of Cincinnati and the Southern Atlantic coast, by means of a railroad, and the best route for said communication is believed to be through the State of Georgia, and the building of the Georgia Railroad is now in progress, and will be an important link in the line of said communication." The stockholders of the Georgia Railroad Company were incorporated as the Georgia Railroad and Banking Company. The stock was fixed at $2,000,000, one-half of which might be applied to banking purposes (one-half of such part to be in gold and silver coin) until the completion of the road to Athens and one of the southern branches through Greensborough, after which time any unemployed capital might be used in banking. A history of the banking adjunct of the Georgia Railroad will be found elsewhere in this work in the chapter on banking, and we need here, therefore, only briefly recapitulate the further provisions of the act as to this particular franchise; the company was authorized to establish branch banks, not exceeding three in number, at such points in the State as it might deem best, always first obtaining the consent of the municipal authorities; the debt of the company was never to exceed three times the amount of its capital stock, and on a failure to pay its bills on demand in specie a penalty of ten per cent, in addition to the usual ate of interest, was to accrue; for the redemption of such notes the stockholders were individually liable in proportion to the number of shares by them held respectively.

Apart from the banking franchise, the act of 1835 had the following provisions: The principal office was located at Athens, and all elections and stockholders' meetings were to be held there unless the directors should otherwise order on special occasions; the Union Railroad, or main branch, was to be completed in four years from the date of the act, or by December 18, 1839, and the Athens branch, and one of the Southern branches through Greensborough, to be designated by the stockholders was to be completed in six years, or by December 18, 1841, and upon default the banking franchise was to be forfeited; if the main road was completed by the time ordered that franchise was to continue for twenty-five years thereafter. Nothing in the charter was to prevent the State from chartering a railroad from Macon to the Tennessee line, or one crossing the Georgia road at any point west of Eatonton, Madison, or Athens. Finally it was provided that no foreigner should directly or indirectly own stock in this company on pain of forfeiture thereof to the State. This act was accepted by the stockholders on January 12, 1836.

A few days after this act another was passed allowing the company to build a branch of its railroad to Warrenton and thence to Sparta, or to allow others to do so and connect with the Georgia road, which act was accepted by the stockholders May 10, 1836.

In 1836 the company was relieved from producing its books in court in any case in which it might be a party, and its officials were excused from attend-

ance as witnesses in like case, it being provided that the testimony required should be taken by a commission. In the same year the company was empowered to build a branch road from Washington, Wilkes county, to intersect its main line at some point in Taliaferro county, and to increase its capital stock $200,000 for that purpose. In this year the company declared its first dividend. The capital stock was then $858,615, and dividend No. 1 paid in November, 1836, was $26,018.

In 1837 the company was authorized to extend its road from Madison *via* Covington to the State road, which amendment to its charter was accepted May 15, 1838.

In 1839 the road was in operation to Greensborough, trains leaving Augusta at 6 A. M. and reaching Greensborough at 1 P. M., or eighty-three miles in seven hours; fare, $4.25.

In 1840 the restriction on foreigners holding stock was modified so as to allow not exceeding one-third of the stock to be so held, which amendment the company accepted May 11, 1841.

In 1841 the principal office and place of holding elections was transferred from Athens to Augusta; accepted May 10, 1842.

In 1843 the company was empowered to receive its own stock in payment of debts due it, provided that the capital was not thereby reduced below $2,000,000, and a summary method was directed for the collection by the company of debts due it by stockholders by levy on their stock as in cases of foreclosure of mortgages on personal property. In this year the main line was constructed to Atlanta, and two years later the branch roads were built.

In 1850 the company was allowed to increase its capital stock to $5,000,000, provided the banking capital of $1,000,000 should not be increased, and was empowered to subscribe for $250,000 stock in the Nashville and Chattanooga Railroad. The right to construct a branch road to Washington which had lapsed, was renewed. In this same year the Washington Railroad and Plank Road Company was authorized to construct a rail or plank road from Washington to the line of the Georgia Railroad, and in 1852 this company was consolidated with the Georgia Railroad.

In 1858 the company was authorized to construct a branch road from Greensborough or Madison to Eatonton, and increase its capital stock sufficiently to enable it so to do, but in the next year the act was repealed.

The company had now been in existence a quarter of a century, and from its earlier reports we gather much interesting information as to its establishment.

The building of the road was slow work. On November 1, 1837, it was opened for business with twenty miles of track, the northern terminus being Berzelia. The progress from that time may be seen by the following tabular statement of miles in use:

	Miles in Use.
From November 1, 1837, to May 1, 1838	40
From May 1, 1838, to May 1, 1839	75
May 1, 1839, to April 1, 1840	88
From April 1, 1840, to April 1, 1841	105
For year ending April 1, 1842	147
For year ending April 1, 1843	148
For year ending April 1, 1844	148
For year ending April 1, 1845	155
For year ending April 1, 1846	195
For year ending April 1, 1847	213
For year ending April 1, 1848	213
For year ending April 1, 1849	213

The 213 miles completed in 1847 comprised the main line from Augusta to Atlanta 171 miles and the Athens branch 39 miles. Not until 1847 was the Athens branch run by steam; in that year a small engine weighing 3.36 tons was put on, relieving the horse-power which had up to that time been employed at a cost of $1,280 per annum. The rolling stock consisted in 1847 of 13 passenger cars, 8 with 8 wheels, and 5 with 4 wheels, 149 freight and stock cars, 65 flat cars, 3 8-wheel baggage and mail cars and 23 locomotives. The names, weight, and commencement of service of these engines are given by John Edgar Thomson, the chief engineer of the road at that time, as follows:

Name.	Weight, Tons.	Commencement of Service.
Pennsylvania	13.08	May 5, 1837
Georgia	11.59	May 5, 1837
Florida	11.50	Dec. 27, 1837
Alabama	11.50	Jan. 12, 1838
Louisiana	11.33	Feb. 2, 1838
Tennessee	14.40	May 29, 1838
William Dearing	12.90	Nov. 6, 1838
Virginia	12,96	Dec. 24, 1838
Mississippi	12.90	Dec. 28, 1838
Kentucky	12.90	Mch. 24, 1839
William Cumming	12.35	Dec. 14, 1839
James Camak	12.35	Dec. 23, 1839
Athenian	11.08	Jan. 3, 1845
Cherokee	15.60	Apr. 28, 1845
South Carolina	15.68	Nov. 1, 1845
North Carolina	15.70	Nov. 4, 1845
Eagle,	13.14	Dec. 5, 1845
Oothcaloga	15.60	Oct. 28, 1846
Maryland	15.70	Jan. 2, 1847
Fairy	3.36	Mch. 16, 1847

Besides the "Fairy" were three other light weights named "Chinkapin," "Dart" and "Swallow." The largest locomotive then in use on the road, called by the chief engineer, "eight-wheel passenger engine," cost $7,500 laid down. Of the 22 engines in 1847 12 were on the road in active use and good

order, 5 were in round-house in complete order and ready for use, and 4 were under repair. The total cost of repairs to locomotives during the eleven years the road had then been in operation was $71,591.42. The "Pennsylvania," the first engine put on the road, had cost for repairs $6,804.59, or an average of $618.59 per annum.

The names of the stations then on the main line, their distance in miles and decimals from Augusta, and height above sea level we condense from some valuable tables in the chief engineer's reports:

Station.	Distance, Miles.	Above Sea-Level, Feet.
Augusta		147.40
Belair	10.	323.92
Berzelia	20.845	517.30
Dearing	28.954	489.30
Thomson	37.530	530.60
Camak	46.930	613.40
Cumming	58.853	647.20
Crawfordville	64.039	617.80
Union Point	76.001	673 55
Greensboro	83.197	626.80
Buckhead	95.659	641.50
Madison	103.310	695.
Rutledge	112.192	728.56
Social Circle	119.389	890.30
Covington	129.919	762.88
Conyers	140.347	909.
Lithonia	146.723	954.
Stone Mountain	155.002	1,054.78
Decatur	164.641	1,054.80
Atlanta	170.701	1,050.13

The chief engineer reports the cost of a "close freight-car," or, as now termed box-car, $600, and says 20 additional ones have been ordered to supply increased demand for transportation, and that another passenger engine is needed. A new round-house, to accommodate 16 engines, is under way. The road was then laid with the plate rail, which was considered too light, and 700 tons of iron of the form of an inverted ∩, had been ordered to relay that part of the road between Augusta and Belair.

The average number of passengers per day had increased to 92, as against 66 in 1846, and the whole number carried was 33,354. The number of cotton bales transported was 94,897, an increase of 38,076 over the year previous. The cost of carriage of a passenger per mile was reported as 2.05 cents and of freight $1\frac{2}{3}$ cents per ton per mile. The rate on produce for the full length of the line, 171 miles, was from 16 to 25 cents per cwt. From this report we learn that the Western and Atlantic Railroad was then at Dalton, that the Nashville and Chattanooga road had been determined on, and that the Montgomery road was being extended to tap the Western and Atlantic.

The treasurer's report for the year ending March 31, 1847, showed receipts $409,935.46, and expenses $157,902.36, a net profit on the road of $252,033.10. That the Georgia road was managed with great skill, is shown by a comparison with some of the then leading lines in the United States. The table showing this is curious and interesting, and is here subjoined as affording a view of railroading some forty years ago.

RAILROAD.	Ratio of Expenses to Gross Receipts	Cost Per Mile of Train.	Receipts.	Expenses.
Georgia	$ .38	$ 61	$409,935 46	$157,902 36
South Carolina	.51	87	589,081 52	302.369 72
Boston and Lowell	.55	1 05	384,102 29	212,233 62
Boston and Maine	.51	65	349,136 56	179,734 83
Boston and Providence	.47	85	360,375 03	169,679 48
Boston and Worcester	.51	96	554,712 46	283,876 11
Fitchburg	.41	58	286,645 36	117,447 34
Western	.47	72	878,417 89	412,679 80
Baltimore and Ohio	.48	64	895,315 22	429,100 28
Central of Georgia	.56	67	303,439 96	170,236 90

The gross receipts of the road for 1847 were made up as follows: Passengers, $136,559.69; freight, $232,891.24; United States mails, etc., $40,484.53; total, $409,935.46.

The expenses were: Conducting transportation, $36,933.75; motive power, $45,066.08; maintenance of way, $57,508.29; maintenance of cars, $18,394.24; total, $157,902.36. Some of the items of expenditure were: For conductors, $4,891.65; engineers and firemen, $10,582.42; wood, $12,099.99; road hands, $19,170.15; overseers, $3,954.17; cross-ties, $16,295.43. During the year 1847 the company paid two dividends, one in April of $45,783.99; one in October of $68,675.99. The capital stock was $2,289,199.92.

In 1849 the president, Hon. John P. King, the presiding officer of this company from its inception, reports that the receipts were $608,130.48, and the expenses $282,290.55; net profits $325,839.93. The number of bales of cotton carried was 157,502, an increase of 70,768 over the preceding year. The Memphis Branch Railroad, from Kingston to Rome had been completed and was in full operation. The Nashville and Chattanooga would be completed ere the close of the year, and the State road and the Nashville and Chattanooga were being vigorously pushed. Appended to his report the president gives a very valuable and interesting report by F. C. Arms, superintendent of transportation. There were 25 engines, one, the best of them all, he says, built at the company's shops in Augusta at a cost of $7,000, 16 in use on the road, 4 in shop, ready for use, and 9 under repairs. The "Pennsylvania," the oldest engine on the line, is reported on the road in complete order, and is described as a six-wheel engine with two drivers, and credited with a service of 243,945 miles. There were 14 passenger cars, 3 baggage and mail cars, 10

stock cars, 136 box cars, and 79 platform cars. To accommodate increasing business 4 new freight engines, 50 box and 25 platform cars had been ordered; conductors cost $5,642.49; engineers and firemen, $14,959.75; wood, $14,573.73; keeping of track, $66,054.99.

At this time Mr. L. P. Grant was chief engineer. He speaks of the ∩ shaped rail having displaced the flat bar rail, but as being itself displaced by a rail of the ⊥ shape, weighing 58 pounds per lineal yard, to be laid on cross ties two feet and three inches apart. He says: "In changing the plan of track from that now in use with the flat-bar, no loss will accrue in cross-ties and stringers. The former can be turned on their edges and moved sufficiently to one side to avoid the gains, and the latter can be cut into cross-tie lengths, supplying about the number that will be needed, in addition to those now in the track." The total length of bridges is reported as 7,900 feet, but it is said that by earth embankments this can be reduced to 3,000 feet.

For the year 1850 the receipts were $676,966.10, and expenses $291,299.91, leaving a net income of $385,666.19. The president reports that the State Road had opened to Chattanooga in November, 1849, but from the difficulty of passing the tunnel had not as yet gotten fairly into operation. The Montgomery and West Point line would be completed in a few months and the Nashville and Chattanooga and Georgia and East Tennessee roads were making satisfactory progress. In June, 1849, the management had reduced the fare to three cents per mile, which appeared to work well. Negotiations were in progress looking to a branch road to Washington. Mr. Arms, superintendent of transportation, reports 65,438 passengers carried, making 179 per day, an increase of 73 over the preceding year. Owing to the partial failure of the cotton crop, but 133,810 bales had been carried, a falling off of 23,692 bales. The rolling stock was 29 locomotives (nineteen on the road and six ready for use), 16 passenger cars, 3 baggage and mail cars, 14 stock cars, 165 box cars, and 79 flats. A site for a new freight warehouse had been purchased on Campbell and Walker streets, and the passenger depot needed enlargement.

The chief engineer's report for this year dwells on the necessity of heavier rails and larger locomotives. It states that the work of relaying the track from Augusta to Union Point had cost $226,467.66, and that when this work was complete the company would have about 1,500 tons of old flat-bar iron for sale, the quality of which was superior. Not so much could be said of much of the new iron. English manufacturers had thrust an inferior grade of railroad iron on the market, and the report advocates the establishment of an American rolling mill convenient to the railroads of the State. The increase in the weight of engines has led to a strengthening of the bridges on the road. The report enters at large on the subject of the deterioration of iron rail. It is said that this question has not received the attention it requires, and that owing to the fact that so many different makes and weights of rail had been used on the

road, it was extremely difficult to obtain reliable data. The weight of iron on the main line is considered to average 68 tons per mile, and on the branches 25 tons, making the total about 12,700 tons. Of this 3,000 tons had been in use ten years; 4,200 for five years, and 5,500 for a year. The average limit of service is put at twelve years, and loss of weight by lamination 15 per cent., on which data the value of deterioration is estimated at $33,000 per annum. From this year's report it appears that the South Carolina road was then the longest in the country, 240 miles, and the Georgia next, with 213 miles. The Central had 191, and the Baltimore and Ohio, 179.

From the reports of 1851 it appears that the State had no equipment of its own on the Western and Atlantic road, and that the Georgia road used its own rolling stock thereon, much to the detriment of that stock, some fifty miles of the State Road being laid with the old plate rail, or flat bar, which was much broken and worn. It was then in contemplation to relay this part, as also to furnish a sufficiency of cars for the road to do its own local business. As matters then stood, connecting roads were obliged to furnish cars for both through and local traffic on the State Road. The outfit of the Georgia road this year was 35 locomotives, 17 passenger cars, 4 baggage and mail cars, 14 stock cars, 181 box cars, and 109 flats, and 200 more freight cars had been ordered. The company had issued $250,000 bonds to aid in paying its subscription of $500,000 to the Nashville and Chattanooga and Atlanta and La Grange roads. The former was nearing completion, and 25 miles of the latter were in operation. The Montgomery and West Point Road was complete, and the Memphis and Charleston and East Tennessee and Georgia progressing. The receipts were $784,408.64, and expenses $363,523.25, a net income of $420,885.39. At this time the various railroad companies of the county had held a convention to correct the abuse of dead-heading, and the Georgia road had assented to the resolution adopted by that body that no free tickets should be granted except to directors or employees, and that employees should not ask or accept free passes on other lines. During this year 91,237 passengers were carried and 132,800 bales of cotton. The chilled iron tire was used on the driving-wheels of some of the engines and found to give satisfaction, and as many as eighty-six freight cars were built at the company's shops. In this year, also, the chief engineer recommends the adoption of what he terms the "compound rail," that is so laid that the joints on one side of the track did not correspond with the joints on the other, as up to that time had been the case. He also recommends ballasting.

In 1852 President King reports receipts, $859,472.45; expenses, $438,384.52; net profits, $431,087.93. This year heavy repairs were made. The timber beyond Madison having been in use since 1845–46 needed replacing, but for the first time in its history the road is reported as being perfectly equipped in all respects. The road was all laid in heavy iron and all machin-

ery and appliances in excellent condition. It is stated that since 1849 the following subscriptions had been made to the stock of other roads, namely: Atlanta and LaGrange, $279,700; Nashville and Chattanooga, $210,000; Georgia and East Tennessee, $10,000. During the year not a single run off or other accident had occurred, but the road had suffered some from fires supposed to be incendiary.

Mr. F. C. Arms, the general superintendent, reported 111,091 passengers carried, and 139,769 bales of cotton; passengers income, $265,201.27; freight, $486,498.41. A disastrous fire had occurred at Camak, supposed to be the work of an incendiary, whereby three cars, two loaded with cotton, and the depot had been consumed, and four platform and two box cars had been burned near Stone Mountain. The rolling stock consisted of 346 cars; passenger, 20; mail, 5; stock, 32; box, 289; and flats, 181; and 40 locomotives. Some of the new engines were the "California," "Oregon," "Ohio," "Indiana," "Hercules," "Richard," "Peters," "Augusta," "Atlanta," "Union," "Constitution," "Fire Eater," "A. J. Miller," and "Howell Cobb." Four locomotives and 214 cars had been added during the year, 141 of them built in the company's shop. A ⊥ rail, weighing 59 pounds per yard, in bars 24 feet long had been adopted, to be laid on cross ties two feet apart, with a bottom splice four feet long at each joint, riveted to the flanges of the rail. This method had been advised by Mr. L. P. Grant, the chief engineer, but was subsequently found to have also occurred to some other parties who had patented the same. In the report of this year the names of the directors are first given; they were Hays Bowdre, B. H. Warren, Joseph C. Fargo, William D. Conyers, John Cunningham, James W. Davies, William M. D'Antignac, John Bones, Thomas N. Hamilton, Elijah E. Jones, Antoine Poullain, A. J. Miller, Pleasant Stovall, Paul F. Eve, and Charles Dougherty.

For 1853 the receipts were $1,030,011.42; expenses, $559,578.23; net income, $470,433.19. The dividend was raised from seven to eight per cent. The Nashville and Chattanooga, and Atlanta and LaGrange roads were reported as near completion, and looked forward to as valuable feeders. With the South Carolina Railroad the company had made arrangements for the location of a depot in Augusta about 600 yards from its own, the Georgia road contributing $30,000 to the expense. Eight new engines had been ordered at a cost of $64,000, and passenger depots at Augusta and Atlanta had been contracted for, the latter being a union depot with other lines. The Washington branch would be complete by August.

The superintendent reports 117,621 passengers, and 194,742 bales of cotton carried; also that the rolling stock consisted of 43 locomotives and 565 cars. The new plan of laying rails had removed the old evil of clattering joints, and had worked admirably in all respects. From the locomotive statistics it appears there had been a marked increase in the weight of engines from

11 to 13 tons to 18, 19, and 20 each. At this period conductors called for $11,971.89, engineers and firemen $31,957.32; keeping of the way $150,957.66. Asbury Hull was added to the directors.

For 1856 the receipts were $1,176,644.21, expenses $587,327.06, net income $589,317.15. The wheat crop of this year was enormous and taxed the capacity of the road to its utmost. In 1854, the heaviest prior year, 429,486 bushels had been hauled; this year, 1,172,331, nearly three times as much; flour, which had not previously exceeded 30,000 barrels, showed 60,514 carried, and the heaviest freight ever known of cotton, 205,503 bales, was superadded, making a volume of produce which called into incessant service every engine and car. The rolling stock was 48 locomotives, 16 passengers, 32 freight, and 704 cars, and 6 more engines had been ordered. This year the directors were John Bones, Samuel Barnett, William M. D'Antignac, John Cunningham, Asbury Hull, George T. Jackson, Thomas B, Phinizy, Richard Peters, Hays Bowdre, William D. Conyers, James W. Davies, Thomas N. Hamilton, Elijah E. Jones, Antoine Poullain, and Benjamin H. Warren, with one vacancy.

In 1857 the old wooden way stations were replaced by brick and stone. The increased length of engines and tenders necessitated new turnouts. There is great complaint of the very inferior quality of railroad iron then manufactured. The annual wear and tear of rails is estimated at $50,000, and to show that the quality manufactured has deteriorated instead of improved with time, the president instances that the last lot put upon the road is in the worst condition, and that some twenty-five miles which had then been about sixteen years in use was the best on the line. The other railroad stocks held by the company had begun at last to pay, the Nashville and Chattanooga three per cent. and the rest, with the exception of East Tennessee and Georgia, eight per cent. Atlanta and LaGrange had paid a bonus of thirty per cent. The Memphis and Charleston road had opened, and the Nashville and Northwestern was well under way. The receipts were $1,314,563.48, expenses $785,188.54, net profits $520,374.94. The banking adjunct was at this time paying about one-sixth the gross receipts, and making handsome profits. Nine new locomotives were bought during the year, making 54 in all; there were 706 cars and 40 additional freight cars ordered. George W. Evans was added to the directory this year.

In 1859 the president reports the bonded debt as $373,060, all incurred for stock in other roads, and urges its extinction at maturity, and the adoption of the policy of a fixed rate of dividend rather than a fluctuating rate, now high, now low. A fixed rate of seven per cent. he thinks attainable, all over to extinguish the debt and relay the track. The road paid $1,154,621.08 and the bank $134,324.20, total $1,288,945.28, expenses $672,747.40, net profits $616,197.88. Mr. George Yonge was now superintendent, and pays a high

tribute to the faithfulness and efficiency of the company's engineers. Ferdinand Phinizy and Massilon P. Stovall were made directors.

In 1860 President King warns the stockholders that new roads are seriously threatening their business. The Virginia line and Charleston and Savannah road are already competitors, and a line from Griffin *via* Newnan to North Alabama, and an extension from Eatonton to Madison will still further affect the company. As a remedy roads were suggested from Warrenton to Macon, from Madison to Barnesville, from Covington to Griffin, from Atlanta and Marietta to Jacksonville. There were 56 engines and 634 cars. The fertilizer traffic began to loom up, 4,529.791 pounds having been hauled, the computation not being by tons at that date. Edward R. Ware was added to the directory.

In 1861 the pinch of war began to be felt. The road earned $860,460.81, the bank $185,209.30, a falling off in the former of $298,727.41, and in the latter $66,321.67, a total of $365,049.08, or just $1,000 per day. The Milledgeville road, to which the company had subscribed $200,000, and paid $124,000, was progressing. The future of the road none could foresee.

In 1862 the president says: "But little produce has been moved, and the purchase and consumption of goods for domestic purposes has been small. Travel and traffic have been diverted from the usual channels, and regular commerce and the trade connected with it have been broken up or greatly deranged. The business therefore has been derived from unusual, and often unexpected sources. The heaviest class of transportation has been in arms, military supplies, and munitions of war. Also heavy groceries from New Orleans, the two Carolinas and Virginia have been forced over our road by the blockade of the coast. For travel we have been mainly dependent on the transportation of troops, and travel connected with the movements of the army, and refugees from an invaded coast have furnished no inconsiderable item." The figures of receipts and disbursements being in a depreciated currency cannot be justly compared with those of preceding years. Such as they were, receipts were $997,612.12; expenses, $566,071.55; net, $431,540.57. To meet the depreciation of the currency the superintendent urges an increase of ten per cent. in fares, and from ten to twenty in freight. All through rates were abolished and all transportation charged for at local rates. To meet the anticipated scarcity of railroad supplies purchases of material had been made to the amount of $167,181.43. To the Confederate States the bank had loaned $500,000, to the State of Georgia $300,000. The stocks in which the company had then invested were Nashville and Chattanooga Railroad Company, $250,000; Rome Railroad Company, $123,150; East Tennessee and Georgia Railroad Company, $10,600; Atlanta and West Point Railroad Company, $464,000; Georgia Western Railroad Company, $2,500; Milledgeville Railroad Company,

$124,000; steamship companies, $40,120; other stock, $500; total, $1,014.-870; Confederate State treasury notes in hand, $407,525.

For 1863 the receipts were $1,555,404.63; expenses, $512,439.54; net profits, $1,042,965.09. Two dividends aggregating fourteen per cent. were paid. This apparent prosperity was only due to the temporary impulse of the war. The reliable business of the country was small. Much of the rolling stock had been ordered by the Confederate government on other roads and into other States. Moreover the government had taken possession of the rolling-mill at Atlanta, which the company in conjunction with some others, had started a few years prior to the war, and thus deprived it of the opportunity to have its old iron re-rolled. In fact a quantity which had been sent there had been impressed for military purposes.

The superintendent reports that, so far, the supplies laid in in advance have been able to keep the road up, but that next year difficulties must be encountered from the scarcity of material even at the enhanced prices. He says in particular that all of the good pig-iron needed for wheels is being cast into ordnance. He recommends an increase of one hundred per cent. in the rates of transportation.

In 1864 the president reports the road as running at a heavy loss, and says: "It has made no real profit for the last two years, and is making nothing now. The more business it does the more money it loses, and the greatest "favor that could be conferred upon it, if public wants permitted, would be the privilege of quitting business till the end of the war." To explain this he says that the ruined condition of the road and rolling stock from hard usage in government service is such that it would take much more than all reported profits to put it in the condition it was in 1861. The low rates paid for government transportation, the fact that rates for private business have only been increased ninety per cent., and the increase in cost of every element of working and maintaining the road to an average of 3,865 per cent. are also adverted to. The banking department is reported as having made little since the loan of its credits and effects to the government in 1861, and what it has made has been required for taxes. The banking charter, the president reminds the stockholders, is to expire in December, 1864, and as the Legislature declines to grant a renewal except on onerous conditions, he advises that it be permitted to lapse without further effort. The receipts from the road were as follows: From Confederate government, $818,689.72; from others, $1,456,665 25; total, $2,275,354.97; expenses, $1,916,348; net, $359,006.97.

The superintendent, Mr. George Yonge, reports that he cannot keep the road up at all on the government exemption from military service of one man per mile; also that it is not possible to increase fare and freight to a figure which will be commensurate with the increased price of railway supplies. From some tables given by Mr. Yonge may be seen how prices rose.

		1860.	1863.	1864.
Pig iron	per ton	$ 25 00	$ 225 00	$ 350 00
Railroad iron	" "	50 00	150 00	500 00
Coal	" "	8 00	20 00	150 00
Bar iron	per pound	04	50	3 00
Boiler iron	" "	07	1 50	3 00
Spring steel	" "	07	90	3 50
Cast steel	" "	20	6 00	20 00
Sheet iron	" "	06	1 50	3 00
Ingot copper	" "	25	75	3 00
Sheet copper	" "	25	1 50	3 00
Block tin	" "	25	5 00	20 00
Lead	" "	05	75	3 00
Zinc	" "	03	50	3 00
Spelter solder	" "	25	1 50	3 00
White lead	" "	08	50	4 00
Nails	" "	05	1 00	2 00
Railroad spikes	" "	03	30	2 00
Tallow	" "	10	80	4 00
Leather belting	" "	20	3 00	30 00
Oil	per gallon	1 50	8 00	20 00
Linseed oil	" "	1 50	18 00	65 00
Varnish	" "	3 00	20 00	50 00
Files	per dozen	7 00	70 00	90 00
Charcoal	per bushel	08	30	1 00
Bacon	per pound	10	.....	4 00
Corn	per bushel	1 00	.....	12 00
Wood	per cord	1 25	.....	10 00
Ties	each	40	.....	2 00
Lumber	per 1,000	12 50	.....	75 00
Negro Hire (with keep)	per year	350 00	.....	1,400 00
Paper	per ream	3 50	.....	20 00
Spirits turpentine	per gallon	25	.....	6 00
Shoes	per pair	1 50	15 00	

The expenses for working the road from April 1, 1863, to April 1, 1864, were as follows:

CONDUCTING TRANSPORTATION.

Wages of conductors, train hands, meals and labor, for freight	$104,456 59	
Wages of conductors, train hands, passengers and mail	52,228 29	
Wages of conductors, agent's clerks, (including line road)	66,021 33	
Loss and damage	46,263 08	
Stock killed	22,264 01	
Stationery and printing	6,164 80	
Repairs depot buildings	8,480 18	
Overcharges	2,140 96	
		$308,019 24

MOTIVE POWER.

Wages engineers and firemen	$187,910 50	
Expenses water stations	19,469 33	
Wood for engines	144,424 87	
Repairs of engines	369,192 87	
Oil and tallow for engines and cars	212,827 33	
Machinery	50,020 14	$983,845 09

MAINTENANCE OF WAY.

Men's wages and provisions	$297,985 61	
Railing and cross ties	110,536 80	
Iron, tools, spikes and castings	33,664 93	
Repairs bridges and culverts	22,204 73	—$464,392 07

MAINTENANCE OF CARS.

Repairs cars	$160,091 60
	$1,916,348 00

The expenses incurred in working road from April 1, 1859, to April 1, 1860, were:

CONDUCTING TRANSPORTATION.

Wages of conductors, train hands, meals and labor for freight	$56,485 34	
Wages of conductors, train hands, passengers and mail	23,421 06	
Wages of conductors, agents and clerks, (including line of road)	37,684 61	
Loss and Damages	11,612 84	
Stock killed	5,648 27	
Stationery and printing	5,001 34	
Repairs depot buildings	3,985 17	—$143,838 63

MOTIVE POWER.

Wages engineers and firemen	$58,504 22	
Expenses water stations	12,552 77	
Wood for engines	37,424 61	
Repairs	66,253 98	
Oil and tallow for engines	13,749 42	—$188,495 00

MAINTENANCE OF WAY.

Men's wages, provisions, etc	$80,803 24	
Railing and cross-ties	34,643 47	
Tools, spikes and castings including deterioration of iron	31,403 47	
Repairs bridges and culverts	2,618 10	—$149,468 28

MAINTENANCE OF CARS.

Repair of cars	$59,691 71
	$544,493 62

In the spring of 1865 the war came to a close, and for the year ending April 1, 1865, the loss was $389,177.06. The road west of Greensboro had been destroyed and was so left by the company, but the Confederate government had placed that part in condition for at least temporary use. No convention of stockholders was held in 1865, but in 1866 the usual annual convention was held, and in the reports then presented we find a very clear and interesting account of the history and operations of the road during the fiscal years 1864 and 1865.

In the latter part of 1864 all the improvements at Atlanta, and the road, depots and bridges, from Atlanta to the Oconee were destroyed, partly by the Federal and partly by the Confederate forces. The company did not think it to its interest to rebuild that portion until the cessation of hostilities, but the Confederate government did so in a superficial and temporary manner. Some of the iron used in this work was taken by force from other roads, and at the close of the war these demanded restitution of their property. In addition to the destruction of eighty miles of track, the depots at Atlanta, Decatur, Lithonia, Conyers, Rutledge, Buckhead, Stone Mountain, Social Circle and Covington were burned, and some three hundred cars had been carried off and lost on other roads, or destroyed. The lapse of the banking franchise in December, 1864, had left the company without that once profitable auxiliary, and $400,000 of the old banking bills then in circulation were to be paid. The negroes belonging to the company, valued at $26,255, were emancipated. There were on hand, and worthless, Confederate bonds to the amount of $653,-100; in Confederate notes, $339,842.51; Georgia war bonds, $150,000; Georgia treasury notes, $195,587.60. On the exchange of old Confederate currency for new there had been a loss of $113,617.87; an account of $674,-245.29 against the confederate government for transportation was valueless, and in short the losses all told amounted to $2,732,522.71, of which $500,000 was in damage done to the road and its outfit, estimated on a gold basis. There were left 22 engines in running order and 29 needing repairs, and 378 cars, many utterly worthless.

On the cessation of hostilities the Georgia Road transported to their homes, free, nearly 100,000 Confederate soldiers, paroled, or prisoners of war released from Northern prisons. On October 1, 1865, Mr. E. W. Cole was made superintendent, and his report of operations of the road from May 15, 1865, when the accounts began once more to be kept in Federal currency, showed that from that period to March 31, 1866, the receipts were $1,155,397.92, and the expenses $640,478.95, showing a net profit of $514,-918.67.

This encouraging showing was due to ephemeral causes, however. There was an immense amount of traveling just after the war by refugees and others returning to their homes; then all the hoarded cotton of the country was seeking export, and owing to the destruction of several competing lines, the Georgia road had a more than normal trade. From passengers there was received $362,548.13; freight, $761,974.37, and from the United States government for transportation, $30,875.42. The work of restoration was at once begun. Some 500 tons of new rails were at once laid, and 271 more tons ordered. The machine shop at Atlanta was rebuilt, as also many of the depots. Among the locomotives, the "South Carolina," which had been on the road since November 1, 1845, and the "Oothcalooga," from October 28, 1846, survived all

the many perils of time and war, and in 1866, after twenty and twenty-one years service, respectively, were reported as in running order. Both were Baldwin engines.

The board of directors in 1866 was John Bones, James S. Hamilton, Benjamin H. Warren, George T. Jackson, Richard Peters, Samuel Barnett, John Cunningham, James W. Davies, Nathan L. Hutchins, George W. Evans, William D. Conyers, Elijah J. Jones, Antoine Poullain, Massilon P. Stovall, and Edward R. Ware.

By 1867 the company had put in 283,900 new cross-ties, built two new bridges of iron, and nine new depots, and increased its cars from the 70 which came out of the war to 399, and its engines from 12 to 28, and paid for all out of the profits. In addition to this, $756,806 of the old bills had been redeemed. Still this left much of war's ravages unrepaired. Of the 700 cars on hand at the outbreak of hostilities, but 70 had been left at the close of the war as stated, and many of these were worthless. Of the 50 locomotives, but 12 could be trusted. The track had run down so as not to be safe even with a schedule of 10 miles per hour.

In 1867 work on the Augusta and Macon road, connecting with the Georgia road at Camak by the Warrenton branch, was pushed forward vigorously. But 55,714 bales of cotton were transported, about one-fourth of the quantity hauled in 1860.

By 1868 the war debt of $1,000,000 had been pretty well extinguished. The bills had been redeemed until but $129,476.12 was outstanding. In this report President King dwells upon the idea that local business must be the main reliance of railroad companies. Despite many drawbacks the planting interest had recovered ground, and the cotton freight was 112,708 bales, or about double that of the preceding year. Two new engines were the first in eight years. The cars had been increased to 473, of which 23 were passenger. Stevens Thomas and Thomas J. Burney were added to the directory this year.

In 1869 the grain freight of the road began to rise into new importance. This year 1,059,043 bushels were brought from the West against 487,828 the year before. This year an office of discount and deposit was opened with agencies at Atlanta and Athens. The net earnings increased to $83,542.60 over those of 1868, owing to the local business improving. The Macon and Augusta Railroad, though unfinished, was about paying its own expenses. Between 417 and 418 miles of road had been relaid with new iron. In September, 1868, Mr. E. W. Cole, superintendent, accepted the office of president of the Nashville and Chattanooga Railroad, and Mr. S. K. Johnson, assistant superintendent, acted as superintendent. For the fiscal year 1869 the earnings of the Macon and Augusta Railroad were $45,123.52; expenses, $47,282.47. The United States tax on dividends was a heavy burden at this period, being

$16,624 this year. L. M. Hill, D. E. Butler, and Green Moore were added to the directory.

The receipts for 1870 were $1,456,183.85; expenses, $1,027,197.13; net, $428,986.72. The passenger receipts this year were unusually heavy, which the president attributed to the emigration of a suffering and discontented population from the old planting States to the Southwest. There were indications, however, of a revival of prosperity in Georgia, prominent among which was the heavy traffic in guano, as evidencing a large scope of agricultural operations, 31,609,513 pounds being hauled this year. The president notes that a sort of railroad mania had at this era seized upon the public mind, and observes that some of the very serious burdens imposed on railroad enterprises seem to have been overlooked. Among them he refers to the accumulated taxes, two and one half per cent. on passenger gross receipts, five per cent. on cost of equipment with additional excise and tariff charges, five per cent. on income, and State and county taxes superadded. Still in addition, the deadhead abuse, and a multiplicity of "damage suits." The United States government tax this year was $27,151.06. This year miscellaneous freight exceeded the cotton transportation three to one, and the total receipts of the road were $198,841.33 in excess of the most favorable year before the war, namely 1859. This year the Green Line was in operation, the principle being that all connecting companies should provide a set of cars, the property of the combination, and transport them over their lines, each company receiving a pro-rata of the entire freight sale. The completion of the Augusta and Port Royal Railroad is announced and considered a great gain to the company.

The question of substituting steel for iron rails was then agitating the railroad world, and as showing the tenacity of the former it is mentioned that a section of rail on the Erie Road which had been in use for twelve months on an 85-foot grade, and over which 3,000,000 tons had passed, showed wear of only one thirty-second part of an inch. A thousand tons of iron rails were this year ordered, but the superintendent recommends that thereafter only steel rails be used. By this year all the bridges had been put in order, and a round-house built in Augusta at a cost of $40,000. Josiah Sibley was added to the directory this year.

In October, 1873, Mr. John P. King, so long the president, informed the directors that bodily affliction disqualified him from giving proper attention to the duties of his office, and Mr. James W. Davies, a veteran director, was appointed president *pro tem.* Mr. King, while acknowledging the compliment conveyed in still retaining him in the presidency, declared it was necessary his wishes for retirement should be respected, and a new presiding officer elected. In this year the net profits of the road were $526,578.29. There were 52 locomotives and 791 cars. The guano freight was 39,171,240 pounds; cotton, 273,293 bales; grain, 1,107,382 bushels.

The year 1875 was a bad year. No dividend was declared, and salaries and wages were reduced twelve and a half per cent. The Supreme Court of Georgia so construed the tax clause of the charter as to make all the property of the company taxable, which at one swoop cut off $82,125.90. As has been heretofore remarked, this decision of the State Court was reversed by the Supreme Court of the United States, which held that the taxing power of the State was limited to the one-half of one per cent. on net income stipulated in the charter.

The annual reports from which we quote the summary now in hand are replete with many sagacious observations on the railroad business, and among others in this of 1875 President King lays it down as an axiom that "side lines are always troublesome, and short branches are generally a dead weight upon the main line." In his long experience, dating from the infancy of railroading, Mr. King had gained much valuable knowledge, and his reports are well worth careful study in this important field.

The year 1876 manifested little improvement over 1875. The receipts of the road were $1,194,324.07, and the expenses $641,677.93. The heavy expenditures for repairing the ravages of war began to draw to a close. The superintendent, Mr. S. K. Johnson, again urges the propriety of steel rails, lasting twenty years over iron, iron lasting only five. In this year an unusual accident occurred, namely the explosion of a passenger locomotive. The change of engines from wood to coal burners was also mooted. Two had been so changed, and shortened the time between Atlanta and Augusta thirty minutes. There were 53 locomotives and 856 cars. The cotton freight was 206,255 bales, a considerable falling off from that of the few preceding years. Of guano 57,094,045 pounds were hauled.

The report for 1877 shows the financial stringency still continuing, but that the road was managed with close economy, and that its operating expenses were 56¼ per cent. of gross earnings, as against 62 per cent. on the Central Railroad, 61½ on the Atlanta and West Point, 61 on the Charlotte, Columbia and Augusta, and 57½ on the South Carolina. There were 48 locomotives and 831 cars. The policy of coal-burning engines was fully approved, and thereafter as fast as locomotives were overhauled they were converted into coal-burners. The use of steel rails was also permanently determined on. The iron rails would not last over five years, and frequently only two, while the steel seemed to show no appreciable wear, and the cost of laying was the same. The cotton freights, owing to the prevalence of yellow fever in Savannah, which forced this product over the Georgia road, was 272,602 bales; the guano freight was 74,415,168 pounds, or some 37,000 tons; receipts were $1,143,128.24; expenses, $643,110.30; net, $500,017.94. This year the Legislature empowered the road to issue $1,000,000 of six or seven per cent. bonds to

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take up outstanding bonds and obligations, and authorized it to buy or lease the Macon and Augusta and the Port Royal Railroad.

In 1878 dividends were passed. A combination to control the Port Royal, and thus cut the Georgia road off from the sea was discovered, and to secure a controlling interest in the stock of that road so as to prevent the success of this hostile move, the directors determined to indorse the bonds of the Port Royal for $1,000,000. This year the operating expenses rose to 71½ per cent. of gross earnings. The policy of inclosing the tract with wire fence was initiated this year. Cotton receipts were 220,540 bales; guano, 72,339,587 pounds. This year's report is the last made by Hon. John P. King, president of the road from its inception in 1838. General E. P. Alexander became his successor, with the following board of directors: James W. Davies, James S. Hamilton, Stevens Thomas, M. P. Stovall, George T. Jackson, L. M. Hill, Josiah Sibley, H. D. McDaniel, George Hillyer, John Davison, William M. Reese, Charles H. Phinizy, John H. James, Joel A. Billops, N. L. Hutchins, and H. H. Hickman. The operating expenses fell to 66 per cent. The reports for this year give very full details of the operations of the company, but present no special points of general interest.

In 1880 there are intimations of trouble with the railroad commission on the subject of rates, the commission claiming the right to fix rates and the company denying the same, relying on the provisions of its charter. After lasting some time this controversy was finally decided by the Supreme Court of the United States against the road. The earnings this year were $1,169,524.14; expenses, $766,448.93. Cotton freights decreased, but guano reached 82,817,538, an increase over the year previous year of some 14,000 tons.

At the convention for the fiscal year 1880, Colonel Charles H. Phinizy was elected president of the Georgia Railroad and Banking Company. The report for this year shows gross receipts, $1,369,964.42; expenses, $955,442,-51. The haul of cotton and guano was unprecedented, being 295,849 bales, and 58,277 tons. About ninety miles of track had been laid with steel rails, with rails enough on hand to lay the rest of the main track. There were 49 locomotives and 938 cars.

In this year the road was leased to the Central Railroad and Banking Company of Georgia at an annual rental of $600,000, the bank continuing its operations separately. The road is still conducted under the lease, and it only remains to add that the railway equipment and management of this venerable company are unsurpassed for excellence.

We here subjoin a statement of gross receipts, expenses, cotton, grain, and fertilizer freight of this time-honored company from 1838 to April 1, 1889:

Years.	Miles of Road.	Receipts.	Expenses.	Bales Cotton.	Bushels Grain.	Tons Guano.
1838	40	35,753	19,367	8,627		
1839	75	134,929	63,362	25,513		
1840	88	184,603	70,246	47,235		
1841	105	152,225	67,283	20,878		
1842	147	224,255	97,518	49,611		
1843	148	248,026	109,819	63,276		
1844	148	248,096	100,573	70,754		
1845	155	271,750	117,212	77,948		
1846	195	315,342	136,204	56,821	18,223	
1847	213	409,935	157,902	94,897	149,993	
1848	213	477,053	175,553	86,734	278,651	
1849	213	582,015	195,785	157,502	176,278	
1850	213	526,807	228,282	138,810	65,847	
1851	213	728,923	302,437	132,800	42,768	
1852	213	795,811	355,508	139,769	70,706	
1853	213	934,124	477,655	194,742	310,696	
1854	231	931,767	588,552	154,727	429,486	
1855	231	906,694	600,289	165,895	219,899	
1856	231	1,068,202	750,713	205,503	1,172,331	
1857	231	1,109,681	720,217	177,427	633,706	
1858	231	1,036,572	710,401	122,707	1,058,490	
1859	231	1,154,624	610,258	219,218	916,291	
1860	231	1,159,188	631,144	219,774	353,241	
1861	231	860,460	704,751	127,663	209,497	
1862	231	859,598	521,390	37,219	273,446	
1863	231	1,120,313	469,836	12,672	27,338	
1864	231	2,275,354	1,916,348			
1865	231	3,342,017	3,056,949			
1866	242	1,155,397	640,478	107,276		
1867	242	1,136,141	623,073	55,714	265,241	
1868	231	1,003,723	511,834	112,708	665,662	
1869	231	1,104,521	575,458	104,372	1,407,326	
1870	231	1,352,029	748,111	138,567	643,129	15,805
1871	231	1,500,098	832,559	170,267	553,069	9,315
1872	231	1,334,012	806,235	162,470	887,531	15,773
1873	231	1,623,456	976,830	294,300	1,897,640	28,860
1874	231	1,571,785	887,451	273,293	1,107,382	19,586
1875	231	1,281,907	826,098	219,533	1,851,733	20,637
1876	231	1,194,324	641,678	206,255	1,366,897	28,547
1877	231	1,143,128	643,110	272,602	1,667,529	37,708
1878	231	1,103,712	727,700	220,540	1,480,505	36,170
1879	275	997,718	659,325	267,552	1,061,305	28,109
1880	307	1,169,524	766,448	229,336	1,040,074	41,409
1881	307	1,369,964	955,442	395,849	2,434,460	58,277
1882	307	1,326,052	977,485	254,760	2,638,690	51,289
1883	307	1,314,482	851,453	293,480	1,826,167	54,946
1884	307	1,324,246	846,701	260,207	2,506,796	67,293
1885	307	1,286,485	820,240	269,211	3,160,022	74,251
1886	307	1,322,818	861,502	280,113	2,532,569	77,123
1887	307	1,367,733	903,836	280,363	3,431,148	76,810
1888	307	1,514,272	957,645	252,228	2,581,826	95,310
1889	307	1,565,954	1,042,613	216,933	3,521,391	107,463

The history of the banking operations of this company will be found in the chapter on banks and banking of this work. The present status of the road may be thus summarized: It embraces 372 miles of track, and the terminal points are Augusta, Atlanta, Macon, Athens, Gainesville, Washington, Monroe

and Warrenton. It has immense machine shops in Augusta, where it works from 160 to 175 hands; pays $110,000 of wages annually, and turns out yearly freight and passenger cars, and repairs its engines, manufacturing often 200 cars in a year. It has a grain elevator with a capacity of 150,000 bushels of wheat and corn. It passes through and into twenty counties of the State, the richest and most fertile, taking them as a whole, having an aggregate of $98,838,879 of wealth, and $37,316,280 of city property.

The road is run in the most progressive manner. It has its entire main line laid with steel rails, and largely ballasted with rock. It runs accommodation trains at terminal points, and lightning trains on a fast schedule, of 171 miles in a little over five hours. Its cars are elegant and comfortable, and its yellow trains have become the symbol of traveling safety and luxury. Everything is kept up to perfection. Whatever science furnishes for railway improvement this model railroad utilizes. And its freedom from accident, due to a management of supreme ability, is something remarkable.

The Central Railroad system is the vastest single instrumentality of Georgia advancement. Its splendid scheme of commercial links, its noble ocean steamers, its massive system of wharves, elevators, presses, depots and structures, its immense facilities for the easy and speedy execution of a prodigious business, the perfect method and efficiency of its management, and the peculiarly solid character of its stocks and securities, make it a wonderful industrial organization.

The Central Railroad was chartered December 14, 1835. Colonel Cruger made the first experimental survey in 1834 at the cost of the city of Savannah. In 1835 the Central Railroad and Banking Company was organized, with W. W. Gordon, the originator of the scheme, as president. In 1836 it began work, and was completed to Macon October 13, 1843, a distance of 190 miles, on which day a train passed over the whole line to the depot at Macon. The first report was made May 20, 1838. L. O. Reynolds was chief engineer of construction. In July, 1838, passenger trains began running regularly the first 26 miles. The first report of business for August, September, and October, 1839, shows 2,310 passengers, paying $5,244, and freight, $20,232. In 1838 the charter of the branch road to Augusta was granted, and Savannah subscribed $100,000 to that branch.

During the year 1842 Mr. W. W. Gordon, the projector and genius of this enterprise, died, and Mr. R. R. Cuyler was elected president. Forty years later, in 1882, the Central Railroad Company, in grateful recognition of Mr. Gordon's great service, erected a beautiful monument to his memory in the Court House Square on Bull street in Savannah.

The ninth report, made March 29, 1844, reports the completion of the road at a cost of $2,581,723, including rolling stock, depots, etc. This also included $68,000 lost by freshet of 1841. The road had 14 engines. The receipts of the road the year of completion, 1843, were $227,531 of which $37,329 were

from carrying 10,461 passengers. Among the freight were 47,133 bales of cotton. The expenses were $134,341, or 73.8 cents a mile, leaving a profit of $93,190.

At this time a connection with Augusta was mooted. As chartered in 1833 the company was called "The Central Railroad and Canal Company of Georgia," and empowered to construct a canal or railroad from the city of Savannah to the city of Macon. In 1835 the charter was amended so as to change the name to "The Central Railroad and Banking Company of Georgia," the canal franchise being taken away and a banking privilege given in its stead. The railroad franchise remained as before, namely to construct a railway between Savannah and Macon. This charter has never been amended so as to permit the Central road proper to enter Augusta. This it does by a lease of the Augusta and Savannah Railroad Company. The Central road was constructed from Savannah to Macon *via* Millen and it now remains to trace the history of the road from Augusta to Millen.

In 1838 a railroad company named the Augusta and Waynesboro Railroad was incorporated to construct and operate a railroad "from the city of Augusta to Waynesboro, and thence to some suitable and proper point of junction with the Central Railroad." The Augusta and Waynesboro Railroad was given a perpetual charter and empowered to rent or farm out its franchises to any individual or company. In 1847 its charter was so amended as to allow it to begin construction of its line of road at any point on the line of the Central in Burke county, and thence proceed to Waynesboro, and thence to Augusta. In 1850 the charter was again amended so as to authorize it to contract with the city council of Augusta for a site for a depot in the city of Augusta and the right of way thereto, and in 1852 the right of way was granted as also the land bounded by Calhoun, Washington and Hall streets and now known as the Central freight depot.

In 1852 the Central Railroad and Banking Company was empowered "to lease and work for such time and on such terms as may be agreed on by the parties interested, the Augusta and Waynesboro Railroad." In 1856 the name of the Augusta and Waynesboro was changed to the Augusta and Savannah Railroad. In 1862 the Central leased the Augusta and Savannah and has since operated it under authority of the above stated act.

The war put its destructive hand on the Central Railroad. Its income was reduced at one stroke $657,385, or over one-third. It carried freight for the Confederate government at fifty per cent. under its regular rates, and took into its treasury $342,600 of Confederate treasury notes. The falling off was in cotton, hides, copper, lumber, fertilizers, and there was an increase in corn, lard, bacon, flour and wheat. The steamship companies in which the road invested wound up operations, and the railroad was notified that the amount of $360,935 had been remitted to England to its account.

The Central road patriotically subscribed to various charitable and war funds. The transportation of troops ran the passenger receipts in excess of freights, and the banking profits were more than doubled. Cotton fell off to almost nothing. The road accumulated over a million and a quarter of Confederate and nearly three-quarters of a million of Georgia war securities and money. The year 1863 showed increased passenger earnings, diminished freights and rolling stock, and increased accumulation of war securities; shipments of tobacco, bacon and corn grew.

The year 1864 is a blank. From Gordon to Savannah 139 miles of the road was destroyed by Sherman's army, and for 40 miles width its line was devastated. The president, Colonel R. R. Cuyler, died. William B. Johnston was elected president. The thirtieth report was made December 1, 1865, by John W. Anderson, acting president, when the road from Macon to Eatonton, 58 miles; from Augusta to Waynesboro 32 miles; and from Savannah to No. 6½, 66¾ miles, was opened. The amount of $704,000 of mortgage bonds was issued. Colonel William M. Wadley was elected president, and started energetically upon the rehabilitation of the road, which was in a bad condition. He made report March 1, 1866, showing 63 miles to be repaired, cars numbering 539 and scattered, and engines reduced to 44 in number in bad order, with 14 only fit for use. Railway connection with Augusta had been reopened. On the 4th of December, 1866, President Wadley made the thirty-first official report. Connection with Macon was made June 12, 1866. The total cost of reconstructing the road was $1,068,632.

The year 1867 saw the Central Railroad well re-established. Its capital stock was $4,661,800 representing the railroad and its appurtenances, worth $4,472,000 and $869,803 of stocks and bonds in other companies. The loss by war in bank operations had been $485,055. The expenditure in renewing the railroad was $1,357,140. The cotton business grew to 272,427 bales.

In 1868 the business of the road fell off $212,226. Seeing in the construction of rival lines and the loss of through business by competition, injury to his road, Mr. Wadley began that far-reaching plan of expansion, which resulted in the present massive and profitable railway and steamship scheme of transportation. Mr. Wadley projected with a broad generalship, and his successor, Captain Raoul, executed with fine ability his predecessor's grand ideas. This year of 1868 he invested in the Montgomery and West Point Railroad, the Western Railroad from Montgomery to Selma, and the Mobile and Girard Railroad, and a through freight system with the New York steamers was established.

In 1869 the Central Railroad leased the Southwestern Railroad, and bank agencies were established at Macon and Columbus as well as at Albany.

In 1870 Mr. Wadley bought for the company the Vale Royal Plantation, on the canal next to the river, where the splendid wharves of the road now lie.

In 1871 Mr. Wadley leased the Macon and Western Railroad, as another protective measure in his broad plan of development. He also began branches to Blakely and Perry.

In 1872 Mr. Wadley bought six steamships, paying $600,000 in bonds.

In 1873, by act of Legislature, the Central and Macon and Western roads were consolidated. The road had been capitalized at $5,000,000 the previous year, and in 1873 the capital stock had been increased to $7,500,000. An issue of $5,000,000 of bonds by the road was authorized by the Legislature for various purposes. Besides the road and its appurtenances, valued at $7,500,000, the concern owned other property amounting to $4,104,990, consisting of real estate, stocks, bonds, steamers, and railroads. The road owed $5,179,000 of liability, $3,686,500 on bonds as principal, and $1,492,500 as indorser.

In 1875 the Western Railroad of Alabama was bought by the Central Railroad and Georgia Railroad for $1,643,128 each.

In 1879 the Central obtained a controlling interest in the Vicksburg and Brunswick Railroad Company and the Montgomery and Eufaula Railroad Company.

In 1881 the Central, as has been stated, leased the Georgia road at an annual rental of $600,000, the lease running ninety-nine years. On the 10th day of August, 1882, the genius of this magnificent Central system, Colonel William M. Wadley, died at Saratoga, in the sixty-ninth year of his age, and in his seventeenth year as president of the company. General E. P. Alexander was elected president. His report summarizes the condition of the road: Mileages, 1,150 miles, main system, estimating steamship company at 250 miles. Connecting system, 458 miles; total, 1,608 miles; capitalized at $25,995,150 and stocked at $7,500,000, making an aggregate of $33,495,150, or $20,830 per mile. The 458 miles connecting system were the Central's proportion in 857 miles of railway, making the whole mileage it influenced 2,009. The policy of Mr. Wadley has been steadily pursued until the Central Railroad and Banking Company now dominates the railway system of Georgia.

The Augusta, Gibson and Sandersville Railroad Company extends from Augusta to Sandersville *via* Gibson, in Glasscock county. It traverses Richmond, Glasscock, Burke, and Washington counties and lays open some of the finest agricultural lands in the State. The aggregate wealth of the counties traversed is $36,500,000; the farm lands are worth $5,400,000, and the crops $4,350,000. The cotton yield is about 50,000 bales yearly. The road is seventy-five miles long, and is a narrow guage. It is only a question of time when it will be prolonged in an air line to Thomasville, opening up the immense timber and naval store resources of southern Georgia.

The Augusta and Knoxville Railroad Company owed its origin to a desire for direct communication between Augusta and Knoxville. It was completed as far as Spartanburg, South Carolina, and then passed into the hands of the

P. S. Mitchell

Central system by a lease to the Port Royal and Augusta Railway for ninety-nine years. From Greenwood it was extended to Greenville and is now known as the Port Royal and Western Carolina. From McCormick's to Anderson extends a branch known as the Savannah Valley road. The Augusta and Knoxville was opened in 1882.

By an act of 1864 the Legislature of Georgia incorporated the Columbia and Hamburg Railroad Company as the Columbia and Augusta Railroad, and empowered it to enter the city of Augusta. In 1869 another act authorized the consolidation of the Charlotte and South Carolina Railroad and Columbia and Augusta Railroad Companies as the Charlotte, Columbia and Augusta Railroad. This road extends from Augusta *via* Columbia, to Charlotte, a distance of 191 miles. It has been absorbed by, and is now a part of the Clyde syndicate, or Piedmont Air Line system. A brief account of this system will be of interest.

One of the first great enterprises in the country to strike down into Southern fields for fresh business domain was the Richmond and Danville Railroad. Years ago this line was well known as an excellent passenger route, then bidding for the travel to the North and East from this section over the "Central Short Line." It was a most popular way to the North, and in open competition distanced all competitors in Augusta. As time progressed the commanding importance of this railroad was recognized by a syndicate of Eastern capitalists, who bought liberally of its capital stock and identified it with the powerful Pennsylvania Central Railroad, in which they were also interested. Such a combination threw a superb trunk route from the Virginia boundary line, through Richmond, Washington, Baltimore and New York, whose influence was irresistable and whose enterprise was insatiable. They controlled all the rich section of the Virginia Valley, and that fair country—onced evastated by civil war—began to build up and blossom under the inspiration of railroad industry. All formidable rivalry was retired, for the principal routes were closed up and all branches and connections of any possible value or importance were absorbed into a compact system. Nor did this movement stop at Danville. The North Carolina Railroad, extending from Danville to Charlotte, was soon controlled, when a giant stride into Augusta over the Charlotte, Columbia and Augusta Railroad, which they also secured, was not a difficult matter. Practically owning the line then from Charlotte to Augusta, this spreading system turned their attention down the Piedmont belt of the Carolinas and Georgia, and finally effected a lease of the Atlanta and Charlotte Air Line Railroad, a route of 270 miles in length. What a system to contemplate. The terminus in New York; the main line solid and unbroken; perforating the South Atlantic States; the mountains of the Alleghanies and Blue Ridge, rimmed with stone and steel—one foot of a great angle planted in Atlanta and one in Augusta, Ga. Compared to the seven leagued tactics of modern railroads, how feeble

seem the engineering of Cæsar in Gaul, or the forced marches of Napoleon into Italy. Such a system as the Richmond and Danville, or the Clyde Syndicate, as it is commonly called, cannot easily be conceived. Spanning the richest section of the American Union, it stretches from the gray coasts of Jersey to the flowing Savannah—

"Whose head in wintry grandeur towers,
And whitens with eternal sleet,
While summer, in a vale of flowers,
Is sleeping rosy at its feet."

Once in control of these main lines the small roads and branches were rapidly assimilated. Convinced that this great corporation, was potent for the development of the South, and also that its means and facilities for operating roads and building unfinished lines were unparalleled, the people of Georgia and Carolina, in many sections, surrendered their stock in such enterprises upon guarantees from this company.

This system then, is composed of the following roads: The Richmond and Danville Railroad proper, 141 miles; the North Carolina Division to Charlotte, 141 miles; the Goldsboro Branch from Greensboro, N. C., 130 miles; the Salem Branch, from Greensboro, 28 miles; the Charlotte, Columbia and Augusta Railroad, 191 miles; the Atlanta and Charlotte Air Line Railroad, 269 miles; the Elberton, Ga., Air Line Railroad, from Toccoa City to Elberton, 51 miles; the Hartwell, Ga., Railroad, connecting with the Elberton Air Line at Bowersville, 10 miles; the Lawrenceville Georgia branch, from Suwanee on the A. and C. A. L. branch, 10 miles; the Northeastern Railroad of Georgia, from Lula to Athens, 40 miles; the Columbia and Greenville, S. C., Railroad, 143 miles; the Abbeville, S. C. Branch, from Hodges, on the Columbia and Greenville Railroad, 12 miles; the Laurens, S. C. Railroad, from Newberry, S. C., on the Columbia and Greenville Railroad to Laurens, S. C., 30 miles; the Spartanburg, Union and Columbia Railroad, 69 miles; the Blue Ridge Railroad, from Belton, S. C., to Walhalla, S. C., 42 miles. Besides the actual Southern lines of lease given above, and which aggregate 1,287 miles, south of Richmond, the Richmond and Danville Railroad management operate a number of roads in the well-known "Atlantic Coast Line System," under the name of "The Associated Railways of Virginia and the Carolinas." Among these may be noted the Wilmington and Weldon, and Wilmington, Columbia und Augusta Railroads; the Northeastern Railroad of South Carolina; the Cheraw and Darlington, and Cheraw and Salisbury Railroads; the Richmond and Petersburg Railroad; the Petersburg Railroad, and Virginia Midland. This system has opened a vast territory to Augusta.

The Augusta and Port Royal Railroad is 112 miles long, and connects Augusta with the magnificent harbor of Port Royal. It was chartered in 1856 and opened in 1873. The importance of this line to the Georgia Railroad was

not at first seen. In 1872 the president reported that ever since the chartering of the Port Royal frequent applications had been made to the Georgia road for material aid to that enterprise, but upon a full consideration of the subject the board of directors had come to the conclusion not to identify the Port Royal with the Georgia. The reasons were, first, lack of surplus money to invest in other enterprises; secondly that it would be an act of injustice to other roads terminating in Augusta, and lastly, and the most weighty reason of all, that the board desired to avoid any appearance of hostility to the interests of Charleston and Savannah or the railroads connecting those cities.

Early in 1872, however, reports reached the directory that an unfriendly combination was engaged in purchasing a controlling interest in the South Carolina Railroad with a view of restricting the eastern connections of the Georgia road to other points. At first the directory was incredulous, but investigation disclosed the truth of the rumor, and yielding to the force of circumstances it accepted a proposition which had been previously declined, namely to indorse the first mortgage bonds of the Port Royal for $1,000,000, and secure a controlling interest in its stock. In 1877 the Georgia road was empowered to lease or buy the Port Royal, and in 1878 it was reported that the indorsed bonds of the latter had been practically all paid. In the same year on June 6, the Port Royal road was brought to sale and was bought in by the Union Trust Company, of New York, trustee for the benefit of all bondholders. On June 22d a meeting of the bondholders was held in New York, and a reorganization of the company effected under the name of the Port Royal and Augusta Railway Company. The new corporation was to create a new stock of $750,000, and to issue $1,750,000 of bonds, so as to make the aggregate amount of stock and bonds $2,500,000, or an amount equal to the entire bonded indebtedness of the old company The stock was to be pro-rated among the holders of the old bonds in exchange for thirty per cent. of the principal thereof. The bonds were to be twenty-year six per cents, secured by mortgage, and to be of two classes, one of $250,000, to be called the Port Royal and Augusta Railway Company's first mortgage sinking fund bonds, and to constitute a preferred lien upon the property of the new company. The proceeds of this class of bonds were to be used to defray the expenses of foreclosure, etc., in discharging such liens as might be adjudged liens prior to the mortgage, and in providing new outfit. These bonds were redeemable in five years at not exceeding 105. The second class of bonds was to be $1,500,000 in amount, to be called the Port Royal and Augusta Railway Company's general first mortgage bonds, and were to be a lien upon the property second to the first class. The bonds were to be distributed *pro rata* among the original bond holders in exchange for seventy per cent. of the old bonds and all accrued interest thereon. A sinking fund of $10,000 per year was provided for. Under this arrangement the Georgia road received $150,000 of stock, and

$300,000 of the second class of bonds. By the terms of the agreement the holders of the new bonds were entitled to cast one vote for each $100 in bonds. In a litigation growing out of these bonds in 1886 it appeared that the Central Railroad was owner of a majority of these bonds, and consequently controlled the Port Royal and Augusta, and that the Port Royal and Augusta had leased the Augusta and Knoxville, thereby securing control of that road also to the Central system.

The Augusta and Summerville Railroad Company, or the Street Railroad of Augusta, is not to be forgotten. This company was chartered on March 20, 1866, with a capital of $100,000, increasable to $200,000, and was empowered to lay a horse railroad from the lower market-house in Augusta, or such other point as the directors might determine on, to the United States arsenal in the village of Summerville, or to any other point three miles from the city limits. It was further authorized to convey passengers or freight at reasonable rates, subject to the approval of the city council.

By act of December 28, 1866, this charter was amended so as to allow the company to run dummy cars or engines on that portion of its track outside the corporate limits, and on such streets in the city as the city council might allow. The same act exempted the capital stock and earnings of the road from all State or county taxation during the continuance of its charter, and provided that the taxes on its real and personal property should never exceed the rate imposed on the property of individuals.

On September 24, 1866, the city council of Augusta and the Augusta and Summerville Railroad Company entered into a contract whereby the city granted the company, for the term of its charter, the exclusive right of way over all the streets of the city except Monument street, and empowered it to construct its main line on Broad street with such branches as it might see fit, and to operate the branches with horse-power, with the option of using dummy engines on the main track. The right of way over all vehicles, except the city's fire apparatus, was given the company's cars. The track was to be of uniform guage with the other railroads of Georgia, and the rates were not to exceed fifteen cents per passenger in the city limits and seven cents per hundred weight on freight. The capital stock, real estate, and personal property of the company were exempted from municipal taxation during the term of its charter. No tax on earnings was to be exacted until the company paid a seven per cent. dividend and then not to exceed two per cent. on the excess.

This contract embodied the terms of an ordinance of the city council of September 7, 1866. On January 19, 1867, another ordinance was adopted which authorized the South Carolina Railroad Company to connect its tracks with that of the Augusta and Summerville, and abrogated that part of the contract of August 10, 1852, between the city council and the South Carolina road which prohibited the latter from connecting its track with any other in the city.

By another ordinance adopted November 9, 1867, the Augusta and Summerville was empowered to use locomotive power for the transportation of passengers, baggage, and freight during the term of their charter, along Walker street from the Georgia Railroad passenger depot to Washington street; along Washington from South Boundary to Reynolds street, along Reynolds to Kollock, along Kollock to the Georgia Railroad track, along McIntosh street, between Fenwick and Walker, and along their track crossing Fenwick near Washington, connecting said passenger depot with the depot of Augusta and Savannah Railroad. The speed of engines was not to exceed five miles per hour, and all freight for the city government was to be transported free of charge.

By ordinance of March 13, 1868, the Augusta and Summerville was authorized to contract with the South Carolina Railroad Company for the use of its tracks from Reynolds street to the Georgia Railroad depot.

By act of October 26, 1870, the Legislature ratified and confirmed the above mentioned contract of September 24, 1866, and ordinances of September 7, 1866, January 19, 1867, and March 13, 1868, and empowered the city council to grant the company the right to use steam power on any other street in the city besides those named in the ordinances at its discretion.

It will be thus seen that the Augusta and Summerville Railroad Company was to fulfill two functions, first to operate a horse railroad in the city and to the village of Summerville, and secondly to be the connecting line between the various railroads entering the city. In pursuance of this latter function the company contracted on March 2, 1868, with the Central Railroad; on March 16, 1868, with the South Carolina Railroad; on July 5, 1869, with the Charlotte, Columbia and Augusta Railroad, and on June 4, 1873, with the Georgia road. In these contracts the following rates were established for services rendered by the Augusta and Summerville: Ten cents for each passenger, fifteen cents for each bale of cotton, and three cents per hundred weight on all other freight. By subsequent relinquishments the Augusta and Summerville brought its charges down to one and one-half cents per hundred weight on through freight, and the same charge on local freight transported from the depot of the company receiving it to any other depot, or warehouse, foundry, etc. The passenger tariff and all other rates were abandoned. In 1874 an effort was made in the Legislature to abrogate or modify the charter and franchises of this company, but failed. The charter expires in 1896. This road is one of the best in the county as regards celerity and regularity of trips, and is unsurpassed for the excellent condition of the animals employed.

Some of the railway enterprises to reach Augusta in contemplation or under way may be briefly mentioned. The Carolina, Knoxville and Western is intended to connect Augusta and Knoxville by a line starting from Augusta midway between the Charlotte, Columbia and Augusta, and the Port Royal and Western Carolina, and thence in almost an air line to Knoxville. That city has voted $100,000 to the scheme, and Greenville has also subscribed.

The Augusta and Chattanooga Air Line is contemplated to run, *via* Gainesville from Augusta to Chattanooga. This will open up the mineral regions of Georgia to those cities and shorten Augusta's western connections about one hundred miles. Chattanooga has subscribed $100,000, and many miles have been graded.

Another projected route is the Augusta, Thomasville and Gulf, a line of some three hundred miles in length, intended to give Augusta a direct communication with the Gulf, and open up rich portions of Florida and Georgia.

A continuation of the Augusta, Gibson and Sanderville from the latter point to Thomasville is also in contemplation, with a prolongation to St. Thomas' bay in the Gulf.

The Charleston, Cincinnati and Chicago route is intended to form a direct communication between those points, striking Black's, in South Carolina, whence a branch is to reach Augusta. This line will be 650 miles in length. Still another project is the Augusta, Elberton and Chicago.

A direct extension of the Augusta and Port Royal Railroad, northwest would carry us to Elberton, connecting with the Elberton and Toccoa Railroad already built. The same line continued from Toccoa to Knoxville, and joining the road from Knoxville to Cincinnati, would give us an air line railway to Cincinnati from Port Royal, 125 miles nearer than at present.

From Augusta to Elberton is 75 miles, from Elberton to Toccoa is 51 miles, and from Toccoa to Maysville, this side of Knoxville, and connected with that city, is 130 miles, making a total of 256 miles from Augusta to Maysville, of which 80 miles are built and in operation.

The Augusta, Elberton and Chicago line of 75 miles has fully 10 miles graded, and the whole route surveyed. Work on this road has been temporarily suspended, but will no doubt be ultimately completed.

PART II.

BIOGRAPHICAL.

ESTES, HON. CHARLES. There is no safer index to the character of a man than his face. Here we have a face in which is clearly written will power, force of character, indomitable energy and courage of conviction.

Hon. Charles Estes was born at Cape Vincent, Jefferson county, N. Y., February 2, 1819. The Estes family is of Prussian extract, and the name appears prominent among the early settlers of the celebrated Mohawk Valley in New York State. Andrew Estes, father of the subject of this sketch, was one of the active business men of his day, albeit he died without estate.

At the time his beloved father was called hence, Charles was in his thirteenth year. Left to his own resources, with such equipment as he had received in the common schools of his native town, he turned to fight for himself the battle of life. With an energy which has characterized every act of a most successful and useful life, Charles addressed himself to the first work that offered—mastering the trade of watchmaker and jeweler. This soon proved too narrow a field for his active and aggressive spirit, and, next, we find him superintending the construction of a section of the Genesee Valley canal.

From Lockport Mr. Estes went to New York city, where he engaged as salesman in the wholesale dry goods house of Doremus, Suydam & Nixon. Devotion to every detail of business in his department was a feature in Mr. Estes's career in this position. In 1844 he resolved to make Augusta his home. Carrying this resolution into effect, Mr. Estes embarked at once in the dry goods business as a member of the firm of Dow & Estes. He continued in this branch of trade until 1850, when he disposed of his interest in the business, and straightway entered the wholesale grocery trade, in which, with unvarying success, he remained till 1866, when he retired from active business. Here, as in every department in which he has figured, Mr. Estes strictly observed one rule: "Never leave till to-morrow that which you can do to-day." He was instant in season and out of season, pursuing his work with unfaltering assiduity. Had he a note due at bank, on a given day, at or before two

o'clock, he invariably paid it not later than 12 o'clock M. Upon his withdrawal from business pursuits, Mr. Estes was chosen a member of the city council, and honored with the chairmanship of the finance committee.

In 1870 Mr. Estes was elected to the chief magistracy of the city, and was annually re-elected until 1876. It was during his occupancy of the mayor's chair that the enlargement of the Augusta canal was determined upon. As mayor, he was charged with a general supervision of the great work alluded to. He looked after the work generally, and after the ways and means especially. The knowledge gained while employed as construction master on the Genesee Valley canal, stood him admirably in hand at this time. To Mr. Estes, more than to any other man, are the citizens of Augusta indebted for that which has made their beautiful city the acknowledged "Lowell of the South."

In prosecuting the canal enlargement Mr. Estes encountered the most strenuous opposition of many well-meaning citizens—gentlemen who honestly apprehended that the "experiment" would result in nothing but a burden of debt to the people. Mr. Estes was imperturbable and irrepressible. He pegged away energetically, and he now has the satisfaction of knowing that his fellow-citizens regard the canal, as enlarged, the chief pride of Augusta. Instead of proving a burden to the taxpayers, the canal (1888) is paying the city annually, in water rents and in taxes on mills and manufactories, the sum of one hundred thousand dollars in addition to the taxes paid by property, which is practically a creation of the canal itself.

Mr. Estes has always figured conspicuously as a skilful financier. The cost of the great work mentioned is but another tribute to his careful management. Think of a canal, quite nine miles in length, raised from 700 horse-power to 14,000 horse-power, when used at thirty-three feet fall, at a total cost of $968,000, $751,000 in the face value of city bonds, and $217,000 in cash, derived from the sale of certain shares of Macon and Augusta Railroad stock owned by the city. The sale of that stock was, as the sequel showed, an absolute gain to the city.

Mr. Estes was one of the most earnest and active friends of the enterprise known as the Augusta and Knoxville Railroad. He it was who suggested the line now threaded by that road, following the bank of the canal and skirting the sites of Augusta's great cotton factories. He it was who inaugurated the plan by which the company's bonds were floated to the perfect satisfaction of all concerned.

In 1881, at the solicitation of leading citizens, Mr. Estes took the initiative in organizing the John P. King Manufacturing Company, with a capital of one million dollars. He is, at this writing (1888) president of the company, president of the National Bank of Augusta, and also president of the Augusta Land Company, which latter company was organized for the purchase and improve-

ment of lands in the western portion of the city. All that section is building up rapidly.

It may be said, without exaggeration, that among the many energetic and influential citizens of Augusta, not one stands higher or has a more enviable record for well-deserved success and for devotion to the welfare and upbuilding of the city and its varied interests than the Honorable Charles Estes.

BAKER, ALFRED, was born in Warren county, Ga., and is the son of Edwin Baker, who for a number of years represented his county in the Legislature as State senator. Young Baker was educated in the common schools of Warren county, such as had an existence in the earlier history of the State. In October, 1829, he came to Augusta and took a position in the large mercantile house of Bridges & Gibson. He afterwards became associated with W. P. Rathbone in the wholesale grocery business, under the firm name of Rathbone & Baker. They did a large and successful business for many years, but finally retired in 1860. In the meantime Mr. Baker engaged in the manufacture of flour, and was proprietor of the Paragon Mills until they were destroyed by fire in 1863. During this period he was also a leading director in the Mechanic's Bank.

In 1870 he organized the National Exchange Bank of Augusta, of which he has since been president. This financial institution has a paid up capital of $250,000, and is recognized as one of the most substantial and solid banking houses in this part of the country. In 1875 he established the Augusta Savings Bank for the benefit of small depositors, to encourage saving, of which he has also been president since its organization. This is the only savings bank in the city, and it has enjoyed a remarkable career of prosperity. Besides his interest and connection with the corporations named, Mr. Baker is a director in the Enterprise Manufacturing Company, and a director and large stockholder in the Georgia Chemical Works.

In all of his business ventures Mr. Baker has achieved well deserved success. He possesses excellent business judgment, is careful and judicious in the management of his affairs, and is prompt and straightforward in all things. He enjoys the full confidence of the business community both as to business ability and integrity of character. Few of the business men of Augusta have been longer in business life, and throughout his long career he has maintained an unblemished record. For several years he has been a member of the First Presbyterian Church, and in religious and charitable work has been an active spirit.

Mr. Baker was married in 1844 to Miss Sarah E. Thayer, daughter of Joel Thayer, of Boston, Mass. They have one child, Lizzie F., wife of Dr. John F. Bransford, surgeon in the United States Navy.

CAMPBELL, HENRY FRASER. No history of Augusta would be complete that failed to give prominent place to a sketch of the renowned physician and surgeon whose name heads this article. For many years he has been a conspicuous figure in the medical fraternity of Georgia, and a sketch of his career cannot fail to be of interest, not only to the members of the profession he so worthily adorns, but to the people of his home, where he is honored and loved, it will possess a double value.

Henry Fraser Campbell was born in the city of Savannah, Ga., February 10, 1824. His father, James Colgan Campbell, at the time a merchant in that port, was a native of County Antrim, Ireland, and belonged to a family of the Presbyterian Scotch-Irish Campbells. Dr. Campbell has adhered to the same faith—being an elder in the First Presbyterian Church of Augusta. The father died in early manhood, during the infancy of the subject of this sketch. His mother, Mary R. (Eve) Campbell, a lady of fine intellectual endowments and high culture, was the only daughter of Joseph Eve, a name once familiar as connected with the early history of the cotton-gin, and as the inventor of the "brush and roller gin," now used, with but slight modification, for the ginning of Sea Island, or long-staple cotton. Like many a child of genius, this maternal ancestor of Dr. Campbell—inventor, poet, philanthropist and doctor—after many heroic struggles with adverse fortune, as the world would sum it up, "failed of success in life!" His epitaph, written on his death-bed by himself, is a simple and touching epitome of his life. It is copied from the slab over his grave, in the "Cottage Grave Yard" near Augusta:

"Here rests one Fortune never favor'd;
He grew no wiser from the past;
But e'er with perseverance labor'd
And still contended to the last;

In reservation, he'd a haven,
With constant hope still kept in view,
The blest abode—the promised Heaven
Of all who strive God's will to do!"

This gentleman was the father of the late Professor Joseph A. Eve, of Augusta, and of the late Dr. Edward A. Eve, of Georgia. He was the uncle of the late distinguished Professor Paul F. Eve, of Nashville, Tenn.

In intimate association with these near relatives and active laborers in the profession, all three of them are claimed by Dr. Campbell as his preceptors and trainers in medicine and surgery, in the earlier periods of his life. His education and moral culture, with that of his only brother, Dr. Robert Campbell, were carefully superintended by his mother, generously aided by his uncle, the late Robert Campbell, of Augusta.

Having received a very thorough academic education, supplemented by a

Henry F. Campbell

classical course under a private tutor, and having begun the study of medicine at the age of fifteen, Dr. Campbell entered the Medical College of Georgia (now the Medical Department of the University of Georgia), in November, 1840, and was graduated thence in March, 1842, at the age of eighteen. The same year he established himself in the general practice of medicine in Augusta, where, except during the late war and during the winters of 1866-67 and 1867–78, he has since remained.

Though engaged in a consulting practice, in all the branches, over a widely extended region of his own and the adjoining States, Dr. Campbell has, for many years past, made specialties of surgery and gynecology. Of his more notable operations may be here mentioned forty-seven cases of lithotomy, forty-five of which were successful. His operation on the male has been invariably that of Dupuytren. In this special class of operations, the profession is indebted to Dr. Campbell for the invention of the *grooved tampon en chemise* —an instrument which vastly lessens the danger of fatal hemorrhage, the great source of mortality in adult lithotomy. We find also recorded by him, sixteen cases of gangrenous inflammation from gun-shot wounds, arrested by ligation of the main trunk. The first of these "curative ligations" (which were all, except one, done in rapid succession during the war), was made June 5, 1862, in the Military Hospitals at Richmond. These ligations, together with the cases of urinary calculus, above referred to, will be more fully considered in connection with his literary contributions. In gynæcic practice, the sliding-hook forceps, for the operation in vesico-vaginal fistula, the soft-rubber spring-stem pessary for uterine flexions, the cushioned protean pessary for uterine versions, and the pneumatic repositor for the "self-replacement" of uterine dislocations, are all well known inventions of Dr. Campbell.

As a teacher, the labors of Dr. Campbell have been quite varied—he having occupied chairs relating to some five or six different branches of medicine, thus accounting, perhaps, in some measure, for the distinct variety marking the subjects which have engaged his earnest investigation, as will be shown in the discussion of his published contributions. They may be thus briefly summarized: From the date of his graduation in 1842, to 1854, he was Demonstrator and Assistant Demonstrator of Anatomy; from 1854 to 1857, he was Professor of Comparative, Surgical and Microscopical Anatomy; from 1857 to 1866, he was Professor of Anatomy; and from 1868 to the present time, he has been Professor of Operative Surgery and Gynecology, in the Medical Department of the University of Georgia. During this period he was clinical lecturer in Jackson Street Hospital, the City Hospital, and in the Freedman's Hospital of Augusta. In the winter of 1866–67 he was Professor of Anatomy; and in the winter of 1867-68, Professor of Surgery in the New Orleans School of Medicine, and Clinical Lecturer in Charity Hospital. In the winter of 1868–69, he was Professor of Operative Surgery in the Medical College of Georgia.

As a lecturer he is ready, facile and comprehensive—always extemporaneous, without even a note either to systematize or to prompt the course of his discussion. Attention of the students is fixed more by the interest he himself takes in, and gives to the subject, than by any particular grace of manner or oratory in the speaker.

In 1852, in connection with his brother, Dr. Robert Campbell, long and intimately associated with him in practice, he established in Augusta, Ga., the Jackson Street Hospital, an institution at that time needed for the treatment of chronic and surgical cases among the negro population of the Southern States. This institution was founded upon the most liberal principles; it had fifty beds and an ample hall for clinical lectures. It was provided with every comfort—equal to those of the best hospitals for white patients—and while its establishment did credit to the benevolence, as well as good judgment of its founders, its ample patronage and support well vindicated the kindness and humanity of the Southern people, in the care and attention they were willing to secure, at liberal cost, for the sick and afflicted among their dependents. Jackson Street Hospital continued in active operation until after the war, when it was superseded by the establishment of "Freedmen's Hospitals" in every community, and which are supported out of the public funds.

During the Confederate war, immediately after the first battle of Manassas, Dr. Campbell repaired to Virginia and attached himself, as a volunteer surgeon to the extensive hospitals for the wounded at Culpeper Court House, Virginia. He was commissioned regularly as a surgeon of the Confederate Army, September 2, 1861, and immediately assigned to duty as medical director of, and consulting surgeon of the Georgia Military Hospitals in Richmond, Va. At the same time he was a member of the army examining board for medical officers. In these two capacities he continued to serve until the end of the war. During this service, among the large number of ligations and other operations he performed, those for "the radical cure of inflammation" were most important. Immediately after the surrender, he accepted a call to the chair of Anatomy, in the New Orleans School of Medicine, from which chair, in the winter of 1867–68, he was transferred to that of surgery. During his connection with this college, besides his regular clinical lectures in Charity Hospital, he delivered a special course on the Anatomy, Physiology and Pathology of the Nervous System, in that institution.

On his acceptance of the second call to New Orleans, his colleagues of the Augusta faculty, in filling his chair of Anatomy, until then temporarily supplied, created an eighth chair, to which no duties were assigned. Having to resign in New Orleans on account of impaired health, this new chair was offered Dr. Campbell—operative surgery and gynecology being given as the departments of his own selection. In these two kindred branches he has continued, after occupying such a variety of positions, to serve his *alma mater* as professor and clinical lecturer, from the winter of 1869 to the present time.

Rather perversely determining, at the early age of fifteen, while still far short in the completion of his academic course, to begin the study of medicine, Dr. Campbell disappointed the generous intention of his friends in regard to a thorough college curriculum. He made, however, good progress in the classics under an able private tutor, but yet entered the Medical College of Georgia to take his first course of lectures at sixteen. Having become prominent as an anatomical student, he was at once appointed, on his graduation, two years after, as assistant demonstrator; from this he rose to demonstrator, and finally to professor of anatomy in the same college. In the exercise of these several functions of teacher and lecturer, but especially in the more difficult and widely scanned performances of essayist and journalist, it may be well supposed that the youthful doctor had reason to miss the systematic training and stored up erudition of the college course he had put aside; and to regret the impulse which had projected him so prematurely into the profession. Laborious private study, a wide scope of systematic reading and unremitting self-culture in everything subsidary to the attainment of facility, as well as profundity in both speaking and writing, soon accomplished for him, we think, far more than any perfunctory attendance at even the best of literary colleges could have done. He acquired knowledge as it was wanted, and the kind he had need for—as it were, making for himself the tools he required for his work.

Dr. Campbell must have begun very early to make contributions by his pen to the literature of the profession — certainly as early as 1845. From this time, we find frequent papers sent by him to the medical press—his favorite medium at that time being the *Southern Medical and Surgical Journal*, published at Augusta. Of this journal he finally, in conjunction with his brother, Dr. Robert Campbell, became the senior editor, five volumes of which are the creditable result of their joint labors—from 1857 to 1861.

Of the literary labors of Dr. Campbell, it is difficult to give any consistent or systematic presentation, on account of their variety and of the unkindred and diverse nature of the subjects discussed. Few medical writers in this country have worked in so wide a field, or presented themselves with a personality recognizable in so many distinct departments. As physiologist and pathologist, as surgeon, as gynecologist, and finally as sanitarian, we find copious contributions from his pen—each interesting, to a certain extent, a distinct class of readers, to whom his name and contributions are quite familiar; while by the others, he is scarcely recognized as the same man. In order, therefore, to give a *résumé* of that which is to remain as the life-work of our subject, we must endeavor to condense, under these several distinct heads, some of his more important contributions to the literature of the profession. Some of these papers involve a historic discussion not long since quite familiar.

From a very early period of his professional life Dr. Campbell has devoted much attention to the study of the nervous system as the controlling influence

in all normal and pathological action. On May 2d, 1850, he read before the Medical Society of Augusta, Ga., an essay on "The Influence of Dentition in Producing Disease." The article was published in the *Southern Medical and Surgical Journal*, Vol. VI, June, 1850. This paper was prepared in answer to the question then before the society: "Has the Process of Dentition any Influence in the Production of the Diarrhea and other Disturbances in the System of the Infant, Commonly Attributed to 'Teething,' and in What Manner is such Influence Exerted?" Always a student and most ardent admirer of the great English physiologist, Marshall Hall, and thoroughly imbued with his investigations relating to the discovery and establishment of the function of reflex motory action, our essayist, in the adoption and explanation of the affirmative side of this question, presented a clear *analogy* between the excito-motory system and the function he was about to *propose* in explanation of the perverted secretory and nutritive action characterizing the disturbances of dentition.

In this paper Dr. Campbell clearly defined the original doctrine of reflex vaso-motor action, referring to experiments and observations—old and new—from those of Pourfour du Petit on the dog in 1732, and of Dupuy on the horse; to those of John Reid, as well as to the writings of Xavier Bichat and of J. F. Lobstein, down to the time of Todd and Bowman; all showing, most clearly, that wherever the processes of nutrition and secretion are effected, it is alone by the entire control over, and agency of the *ganglionic filaments upon the movements of the blood-vessels.*

But the object of Dr. Campbell was not so much to establish the instrumentality of the ganglia and filaments of the sympathetic system in the modification of vascular movement, and thereby in the control of nutrient and secretory action, as to demonstrate the, until then, unrecognized *reflex relation subsisting between the sensory branches of the cerebro-spinal system*, and these same vaso-motor nerves whose function in controlling the blood-vessels had long been conceded. To this modifying and controlling influence of the one over the other, he gave the appropriate name, afterwards adopted by Dr. Marshall Hall, of London, and others, of *The Excito Secretory Function of the Nervous System.*

Three years after the publication of these views, M. Claude Bernard, of France, alike distinguished for his profound knowledge of all that pertains to the history of discovery in the nervous system, as well as for the ingenuity and variety of his own experimental investigations, published in the *Gazette Medicale*, volume for 1853, some remarks on "The Reflex Actions of the Nervous System," in which he claimed that his observation and presentation of the existence of such a reflex relation between the two systems was "a suggestion entirely new."

This claim of M. Bernard's appearing entirely to ignore the investigations

of Dr. Campbell on the same subject, published just three years before, was fully answered by Dr. Campbell in a brief paper read before the American Medical Association at its sixth annual meeting, held in New York, May 3d, 1853. The title of this paper, as found in volume VI. of the *Transactions of American Medical Association*, is, "*On the Sympathetic Nerve in Reflex Phenomena.*" In their reviews of the volume of that year, *The American Journal of the Medical Sciences*, January, 1854, and *The New York Journal of Medicine*, March, 1854, both decide that "priority in publication of the views in question is fully demonstrated to be with Dr. Campbell."

The courteous and friendly correspondence on the subject of priority of announcement in regard to the reflex excito-secretory function between Dr. Marshall Hall, of London, and the subject of the present sketch will be remembered by many not old yet in the profession. In the American reprint of *The London Lancet* for March, 1857, will be found Dr. Marshall Hall's announcement of a system of excito secretory nerves.

On the reading of this communication from Dr. Hall, Dr. Campbell presented to him a full catalogue and *résumé* of his own frequent publications on the subject, and in a letter which, for exemplary courtesy, and for profound and affectionate respect, has seldom been equalled in any reclamation made by one author upon another, for the recognition of his labors in a common field, he called attention to the priority of his claim.

As might well have been expected, it was soon clearly revealed that the revered and noble English philosopher and philanthropist had never been cognizant of the contributions of his American co-laborer in a portion of the splendid field his own genius had had opened to mankind. Without hesitation—even while the shadow of death was beginning to darken the path of life before him, he made haste to indite, in manly and cordial terms, but with a decision equally poised and doing justice to the last degree to all, a letter to the *London Lancet* of May 2d, 1857—Dr. Campbell first, to Claude Bernard second, and last of all to himself. Here is his unselfish and impartial adjudication of the tripartite claim:

"It would be unjust to deny that Dr. Campbell has the merit of having first called attention to the excito-secretory sub-system in the year 1850, and that he imposed this very designation in 1853. So far Dr. Campbell's claims are undeniable, and I would say, '*palmam qui meruit ferat.*

"I arrive at this conclusion: the *idea* and the *designation* of the excito-secretory action belong to Dr. Campbell, but his details are limited to pathology and observation. The elaborate *experimental* demonstration of reflex excito-secretory action is the result of the experimental labors of M. Claude Bernard. And *now* I say, '*suum cuique.*'

"My own claim is of a very different character, and I renounce every other. It consists in the vast *generalization* of the excito-secretory action throughout the system.

"There is, perhaps, not a point in the general cutaneous surface, in which tetanus—an excito-motor effect — may not originate; there is scarcely a point in which internal inflammation an excito-secretory effect may not be excited. *Every* point of the animal economy is in *solidarite* by reflex excito-secretory action with every other!"

"I trust Dr. Campbell will be satisfied with my adjudication. There is in the *excito-secretory* function, as applied to pathology, an ample field of inquiry for his life's career, and it is *indisputably his own*. He first detected it, gave it its designation, and saw its vast importance.

I am, sir, your obedient servant,

April, 1857. MARSHALL HALL

The above fair and wise adjudication, respectively recognizing the exact right of each claimant in the important achievement, must have been most satisfactory to Dr. Campbell. During the same year, we find, in the volume of his collected essays on the Nervous System, the following dedication: "To Marshall Hall, M. D., F. R. S., Member of the Institute of France, and author of that grand induction of modern physiology, *The Principle of Reflex Nervous Action*, this collection of Essays on the Secretory and Excito-Secretory System is respectfully inscribed, in high admiration of his genius, and in heartfelt acknowledgment of his liberality BY THE AUTHOR."

The printed letter addressed to Dr. Marshall Hall had also been sent to several prominent physiologists. With the pamphlet sent to Sir Benjamin Brodie, vice-president of the Royal Society, a private note had been added. Sir Benjamin's reply being brief and pertinent to the claim of originality in the investigation, we here transfer the exact words.

"14 SAVILLE ROW, May 20th, 1857.

"*My Dear Sir*,—I am much gratified by learning that you have found something to interest you in my little volume.[1] The writing it has been the amusement of my leisure hours when at my house in the country, where, during the last few years, I have passed several months annually.

"I have read your paper on the Excito-Secretory System of Nerves, which certainly fully establishes your claim to originality in the investigation.

"I have had no opportunity of seeing Dr. Marshall Hall since I received your communication. I believe he is staying at the seaside and, I am sorry to add that he is laboring under very serious disease. I am, dear sir, your faithful servant, B. C. BRODIE.

"*Dr. H. F. Campbell, Augusta, Ga., U. S.*"

A copy of the collected *Essays on the Nervous System* were sent through the American minister, Hon. F. W. Pickens, to the Imperial Academy of Medicine at St. Petersburg. The following extracts from the letter of Mr. Doubouvitsky, the president, officially reports the opinion of the academy, and their endorsement of Dr. Marshall Hall's adjudication.

"ST. PETERSBOURG, March 28, 1859.

"Then, as to this last *opus* (Dr. Campbell's treatise on the excito-secretory system of nerves), the Academy of St. Petersbourg is quite of the opinion of the celebrated physiologist, Marshall Hall, as to the discovery of the intimate 'nexus' [relation] between the peripheric nerves and the ganglionar system, which connexion explains the frequent occurrence of secretory phenomena from external stimuli; and though the *facts* designated by Dr. Campbell are true and long since known, the explication of them, and the very proper designation of the united forces from different energies, by 'excito-secretory system' belongs to Dr. Campbell as a most useful and honorable discovery."

[1] *Psychological Inquiries as to the Mental Faculties.* London, 1856.

This formally expressed contemporaneous opinion of the Imperial Academy of St. Petersburg, one of the oldest and most authoritative scientific bodies in Europe was the strongest kind of endorsement, and to the medical world was convincing proof of the validity of Dr. Campbell's claim.

We have dwelt at some length upon the records relating to these two papers of Dr. Campbell, as upon this clear presentation must rest hereafter, to a considerable extent, the permanent recognition of his claim as the first promulgator of knowledge in regard to a most important function of the nervous system, never before recognized clearly, and only foreshadowed in the vague doctrines of sympathetic action.

Besides the three papers heretofore discussed, Dr. Campbell has written several other communications upon the reflex excito-secretory function. At the tenth annual meeting of the American Medical Association, held at Nashville, May, 1857, he obtained the prize offered by the association—the title of this paper being "The Excito-Secretory System of Nerves: Its Relations to Physiology and Pathology." (See *Transactions*, Vol. X., 1857). Among other papers on this same subject are "Classification of Febrile Diseases by the Nervous System." *Transactions American Medical Association*, Vol. X., 1857). "Remarks on Meckel's Ganglion—Its Influence on the Circulation of the Eyeball." (*Southern Medical Surgical Journal*, February, 1858). The Nervous System in Febrile Diseases, and the Classification of Fevers by the Nervous System." (*Transactions American Medical Association*, Vol. XI., May, 1858).

In this last discussion of the nervous system, as it plays its role in febrile affections, will be found a wider application of the excito-secretory or reflex vaso-motor function, than has ever before or since been made, either by our author or by any other writer. A reprint of this paper was also sent to the Imperial Academy of Medicine; and the careful review given it by that body will be found in the following official letter of the president to Hon. Mr. Pickens, the American minister. It appears that this paper secured to Dr. Campbell his corresponding membership:

"ST. PETERSBURG, March 17, 1860.

"Mr. Doubouvitzky, President of the Imperial Academy of Medicine at St. Petersbourgh, has the honor to present his best respects to Mr. Pickens, minister of the United States, and entreats him to express to the Professor, Dr. Campbell, in his own name as well as from the members of the Imperial Academy, the best thanks for his interesting treatise or paper on the 'Nervous System in Febrile Diseases;' which proving the high controlling influence of the nervous system over all the organic processes or acts of human organism, not only serves as a proper basis for a new classification of febrile diseases, but also being a contemporaneous doctrine of Neuropathology, counteracts in a proper way, the too material tendency which threatens to prevade the study of medicine. Though it cannot be totally denied that some processes of nutrition are completed with a certain degree of self-government, in the system of organic cells, which, since Schleiden and Swan, have acquired a more important signification in the physiological and pathological changes of human tissues. Nevertheless, the Academy thinks that the most rational analysis of the influence of the excito-secretory functions on nutrition, secretion, thermal and chemical changes, and the different alterations of the blood—is

worthy of her full approbation and of every encouragement," and adds, "Dr. Campbell has been elected as a corresponding member of the Imperial Academy of Medicine, and we are waiting for the approbation of the Minister."

His more recent publication on the subject of the excito-secretory action, as applied to pathology, is referred to in connection with one of his surgical essays. Part II. of this paper is published in Volume XXX. of the *Transactions of the American Medical Association*, 1879, "Etiology and Pathology of Urinary Calculus." This part comprehends the "neuro-dynamic origin of calculus"—"Morbid Excito-Secretory Action, the True Origin of the Calculous Diathesis." "The Relations of the First and Second Periods of Dentition to the Origination of Calculus." In this paper he proves by statistical research that by far the largest proportion of the subjects of vesical calculus are infants having uric acid nuclei, and in a series of seven propositions he indicates the neuro-dynamic origin of calculus.

In addition to the above eight papers in one of the earlier volumes of the *American Transactions*, May, 1853, and also in the collected essays on the nervous system,[1] is found an elaborate essay of over sixty pages, entitled "An Inquiry into the Nature of Typhoidal Fevers, Illustrating the Ganglionic Pathology of all Continued Fevers," which title sufficiently signifies the subject matter of the discussion.

By the foregoing review of Dr. Campbell's contributions it will be seen that in a period of about forty years, whatever else may have been his pursuits, or in whatever other field of labor he may have been engaged, the ganglionic or vaso-motor system, and especially its reflex relations, as applied to pathology, has never ceased to engage his most earnest and active attention. He has, indeed, made good the prophetic words of the illustrious Marshall Hall, "There is in the excito-secretory function, as applied to pathology, an ample field of inquiry for his life's career."

Dr. Campbell, it is said, has been heard to express himself as practicing surgery "as a necessity of benevolence and bread," while his study of physiology has been for "love and happiness." Such an announcement, if seriously made, would not certainly give any very good augury for either activity or success in the practical departments. And yet, for over forty years he has been known to labor day and night; to traverse weary distances, and to forego comfort and even security of life, in peace and in war, to labor in a field which was *not* his choice. From his earliest youth he has occupied lectureships and chairs either directly or secondarily connected with the teaching of surgery. Not only his time and labor, but his moderate resources, with those of his brother and colleague, were early taxed to found an institution, which, as we have seen, was principally devoted to surgical practice. What a man

[1] *The Secretory and Excito-Secretory System of Nerves in Relation to Physiology and Pathology.* Philadelphia. J. B. Lippincott & Co. 1857.

may think of his own impulses, or whatever others may *say* of him, is ever evanescent, and passes away with the decadence of a single generation. As the writer has intimated in the outset of the present sketch, a man's life is to be looked for hereafter in the written records of his service. There only can it be said of him, "he rests from his labors, and his works do follow him."

Among a considerable number of contributions on surgery and allied subjects, the three following papers may be mentioned as perhaps the best known: "Traumatic Hemorrhage and the Arteries." This paper constitutes chapter III. of *The Manual of Military Surgery*, prepared by the order of the surgeon-general for the use of the Confederate army. It presents a most careful and particular consideration of every arterial lesion liable to result from gunshot wounds. It gives in terse, but comprehensive language, accurate and available directions by which the military surgeon, in the field or hospital, may be guided in cutting down upon, and ligating every accessible artery. The first announcement of the principle of ligating the main arterial trunk of a limb for the radical cure of inflammation, and for the prevention of gangrene, is made in this chapter. Here, also, brief notes are recorded of most of the ligations performed by him for this object. The chapter on Hemorrhage occupies over one hundred and twenty pages of the *Manual*. "The Hunterian Ligation of Arteries in Destructive Inflammation," a paper published since the war,[1] contains a fuller description of the fifteen cases of ligation, with considerations as to the applications and rationale of this important measure of treatment.

Another surgical paper is found in volume XXX. of *The Transactions of the American Medical Association* for 1879 on "Urinary Calculus." This is a report of some forty seven cases, and is a study of the disease in its surgical, therapeutic and hygienic relations, ending as before stated in part II. with an investigation of the etiology and pathology of calculus.

In the *Transactions of the American Gynecologlical Society* and elsewhere, are to be found various contributions by Dr. Campbell to this important branch of medicine: "Pneumatic Self-Replacement of the Gravid and Non-Gravid Uterus;" "Calculi found in the Bladder after the Cure of Vesico-Vaginal Fistula;" "Rectal Alimentation in the Nausea and Inanition of Pregnancy." This last paper might be termed more a contribution to physiology than to gynecic medicine. By observation and by actual experiment the conclusion is arrived at that the *physiology* of rectal nutrition is to be found in the reversal of normal peristaltic action. "Position, Pneumatic Pressure and Mechanical Appliance in the Uterine Displacements," read at the Medical Association of Georgia, Savannah, April, 1875; Blood-letting in Puerperal Eclampsia—Pathological Therapeutics—The Old and the New," *American Journal of Obstetrics*, vol. IX. August, 1876, "The Widespread Influence of the Cerebro-Spinal Cen-

[1] See *Southern Journal of the Medical Sciences*, N. O., August, 1866, also, article "Inflamation," *Cooper's Surgical Dictionary*. London. 1872. P. 18.

tres over the Ganglionic Plexuses," *Virginia Medical Monthly*, 1880; "The Genu-Pectoral Posture — its value in Impeded Reduction and in the Prolonged Nausea and Vomiting of Pregnancy," 1885; "Uterine Febroids and Other Pelvic Tumors," 1887; "The Infertility of Woman," 1888, are the titles of other papers of merit contributed to medical science by Dr. Campbell.

The history of the remarkable and widespread epidemic, dengue fever, as it prevailed in Augusta, Ga., was prepared by Dr. Campbell (*Southern Medical and Surgical Journal*, 1851). In regard to the inland prevalence of yellow fever, he was at an early date firmly convinced of the baleful instrumentality of railroads in transporting the disease. At the seventh annual meeting of the Medical Society of the State of Georgia, held at Macon, April 9th, 1856, he was chairman of the committee to investigate the question, as to "the means by which the extension of the yellow fever into the interior may be prevented." In the second annual report of the board of health of the State of Georgia will be found a report on "The Railroad Transportation of Disease-Germs." At the annual meeting of the Medical Association, of Georgia, held at Rome, April, 1879, "The Yellow Fever Germ, on Coast and Inland, with a consideration of Ship and Railroad Quarantine," was the title of a paper read by Dr. Campbell. "The Yellow Fever Quarantine of the Future," a paper advocating strictest quarantine of railroad trains, trunks, clothing, and all porous goods, but claiming "free passport and refuge for *persons*—even subjects of yellow fever—on the acknowledged ground that the disease is not contagious," was read by him at the meeting of the American Public Health Association, held in Nashville November, 1879.

One of the strongest endorsements of Dr. Campbell's skill as a physician, and one he prizes above all others, came from that great surgeon, the evangelist of healing, the late Dr. J. Marion Sims. In 1883 an invalid in South Carolina wrote to Dr. Sims asking if he could not secure better medical attendance by coming to New York. Dr. Sims in answering him wrote the following letter:

NEW YORK, November 1, 1883.

My Dear Sir:—Dr. Henry F. Campbell of Augusta is one of the ablest physicians in this country. You need not come to New York, Philadelphia or Baltimore in search of health. If Dr. Campbell can't unravel your case and put you on the right road to getting well, you will not have much to hope for amongst us here. Hoping that you may soon get well.

Yours truly, J. MARION SIMS.

Other letters written by distinguished members of the medical profession equally strong as the above might be reprinted, were it necessary, to prove the high professional standing of Dr. Campbell.

In noting the literary contributions of Dr. Campbell, more care has been given to his earlier records than to those of recent date, and consequently more familiar to our readers. As the natural result and well-earned reward of a life

of assiduous labor and patient toil, for the advancement of science he has met with many gratifying recognitions at the hands of his brethren. Some of these have been but kind endorsements of his faithfulness, while some of the others have been coupled with the imposition of higher responsibility, and sometimes with the incentive to, if not the exaction of an increased amount of labor.

He is a member of the American Medical Association, of which he was vice-president in 1858; honorary member of the American Academy of Medicine, and a member of the Medical Association of Georgia, of which he was vice-president in 1852, and president in 1871. He was elected a correspondent of the Academy of Natural Sciences of Philadelphia in 1858; a corresponding member of the Imperial Academy of Medicine of St. Petersburg, Russia, in May, 1860; a fellow and one of the founders of the American Gynecological Society in 1876; a member of the Georgia State Board of Health, elected in 1875; a member of the Abingdon Academy of Medicine, elected in 1879; of the Augusta Medical Society, president in 1877; of the American Public Health Association, on the Advisory Council in 1879, vice-president in 1880, and foreign corresponding member of the Medical Society of Sweden, elected at Stockholm, December 13, 1878.

In 1884 he was elected to the presidency of the American Medical Association, the very highest honor which can be accorded an American physician. He worthily and ably filled the duties of this position, and during his term inaugurated the bureau or section known as the Medical Jurisprudence Department of the work of the association.

In the preceding pages we have attempted to give only the more notable events and achievements in the life of one of Augusta's oldest and surely most prominent physicians—one who has an international as well as national reputation in the diverse fields of physiology, gynecology, surgery and sanitation. Of late years he has withdrawn as far as possible from the general practice of medicine, and endeavored to confine his practice to surgery and gynecology. In these two fields he has the largest and most extended practice of any physician in this section of the country. His practice is largely a consultation one in all the branches, he being frequently called to all sections of Georgia and South Carolina. As a physician he is tender and gentle as a woman, inspiring the sick and afflicted with kind and cheering words. No physician possesses the confidence and love of his patients to a greater degree than he.

Gifted with smoothness of speech, charming manners replete with personal magnetism, in the social sphere he is one of the most entertaining of men. A great reader, he keeps fully abreast of the day on all the great movements in literature, science and politics, which he is ever ready to ably and originally discuss. He is warm-hearted, genial, proverbially good natured, and one of whom it may in truth be said:

"A merrier man,
Within the limit of becoming mirth,
I never spent an hour's talk withal."

Dr. Campbell married, at the age of twenty, two years after his graduation, Sarah Bosworth, the eldest daughter of Amory Sibley, esq., of Augusta, Ga. By her exalted Christian worth, rare intellectual endowments, and refined taste and culture, she is now, and has been through life, his gentle guide, wise counsellor and best friend. Their only daughter, Mrs Caroline Campbell Doughty, and her two children, complete the household, giving additional companionship and solace to the "hours at home."

CALVIN, HON. MARTIN V. The Hon. Martin V. Calvin is the son of James B. and Elizabeth Calvin, and was born in Augusta, Ga., September 23, 1842. He had early and liberal educational advantages in the free school of Augusta, under Mr. Thomas Snowden, the classical school of William Ernenputch, and was finally prepared for college by Rev. James T. Lin. Entering Emory College, at Oxford, Ga., he rose to the grade of senior when the civil war broke out, and he left the halls of learning to take up arms in defense of the South. He entered the Confederate service in 1861, and served throughout the war in the western army. He was dangerously wounded at the battle of Franklin, Tenn., in November, 1864, and was captured at Columbia, Tenn., after the fall of Nashville.

Mr. Calvin early showed an aptitude and liking for newspaper work. At the age of eighteen, he became a newspaper correspondent, writing to the Augusta *Constitutionalist* over the *nom de plume* of "Burke." During the war, while serving as a soldier, he corresponded regularly with the *Constitutionalist*, for a time as "Mignonne" and as "Isaac Allington"; later with the *Chronicle and Sentinel* as "Loraine." He used the last *nom de plume* for three or four years after the war; then he adopted the plan of writing over his own signature, but of late years he has most frequently used simply his initials.

Returning home after the war, Mr. Calvin entered journalistic pursuits and was successively editor of the Augusta *Gazette*, associate news editor of the *Constitutionalist*, and news editor of the Augusta *Chronicle*. Newspaper work was a field in which his natural tastes and ability as a writer found congenial occupation, and the young editor soon arrested public attention by his clear and practical ideas upon the new questions which then confronted the people of the South. He was among the first to urge the establishment of the public school system, and so well recognized were his labors in behalf of education that in 1867 he was elected principal of the Augusta Free School, then of the Houghton Institute, and a similar position in the Peabody Institute. In November, 1872, by popular vote, he was elected for a term of three years, with Hon. George R. Sibley and Mr. James G. Bailie, a member of the county

board of education from the first ward of Augusta, where he then resided. Under this board the present admirable system of public schools was inaugurated in Richmond county. Mr. Calvin was chosen superintendent, a position at the time novel in its duties and of great responsibility. He accepted conditionally, organized the system, and at the end of three months resigned, thus giving up a handsome salary to return to his place on the board, where he received practically no compensation. Mr. Calvin served for three terms, or nine years, on the board, and during all this time the public school system had no more devoted or helpful friend.

Since 1871 Mr. Calvin has had charge of the introduction of J. B. Lippincott Company's works in the South, a most important position, requiring judgment and executive ability. His long continuance in this position shows his value and the esteem in which he is held. He has large discretion, being without limit or instructions in the management of the great business intrusted to his care.

It is as a legislator that Mr. Calvin is most widely known. In 1882 he was elected as one of the representatives in the General Assembly of Georgia from Richmond county; re-elected in 1884 and in 1886, and for a fourth consecutive term in 1888, and is the only member in the present house, serving a fourth consecutive term. He was made chairman of the Committee on Education upon his entrance to the house, continuing in that position till the present session (1888–89), when, upon being unanimously chosen Speaker *pro tem*, he went to Speaker Clay and waived all claims he might seem to have on the chairmanship of the committee on education, in view of long service, and asked if he was to be accorded a chairmanship to be given the most modest one in the house—one long regarded as a dead letter — the Committee on Immigration.

Mr. Calvin has developed a high order of talent as a legislator, and is justly regarded as one of the most useful of our public men. He has rendered particularly valuable service to the cause of education, while the general welfare of the State in many directions has been promoted by his well directed efforts. In the house of 1884–85 Mr. Calvin introduced a resolution suggesting the propriety of employing ladies as clerks in the department of enrolled and engrossed bills. He supported the resolution in an earnest speech and it was adopted and put into execution with the most satisfactory results. This movement had in the State at large the effect Mr. Calvin purposed it should have, namely, of directing public attention to the necessity and desirability of opening to women new avenues to honorable living. During the same session Mr. Calvin induced the house to order printed daily an abstract of the journal which enabled members present or absent quietly to inform themselves as to the condition of the work before them. He has been a prominent member of the Committee on Agriculture since 1882, and has taken a very active part in

the work of that committee in the house. He has been particularly alive to the agricultural interests of the State, and few have given the subject more intelligent study. At the fall session of 1888 Mr. Calvin drafted the bill, which, becoming a law, gives to the farmers of Georgia, through their representatives on the board of directors, the privilege of locating and controlling the agricultural experiment station, which will be supported by government funds under the Hatch act. As member of the committees on military affairs and internal improvement Mr. Calvin has also rendered valuable aid. He is a practical worker; gives earnest, thoughtful study to every subject which comes before the house, and always has plain, practical ideas to advance concerning them. He is able to clearly and forcibly present his views upon the floor. He does not pretend to oratorical effect, but what he does say bristles with facts and is to the point. His fellow members regard him as one of the most thoroughly equipped workers in the house, and testified their confidence in him by unanimously electing him Speaker *pro tem.*, a distinction and an honor he richly merited for his able and conscientious discharge of his duties. While not arrogant in expressing them, Mr. Calvin has, in an eminent degree, "the courage of his convictions." He is exceedingly fond of politics, and is a close student of everything pertaining to State-craft. Few, if any, men in Georgia, or in the country at large, have a more thorough knowledge of public men and public measures than Mr. Calvin is acknowledged to possess.

Since the close of the war Mr. Calvin has been active in every movement which has tended to the upbuilding of Richmond county or city of Augusta, contributing his time without limit and means according to his pecuniary ability to all such enterprises. While still on his crutches, suffering from a wound he received in fighting for the cause of the South, Mr. Calvin addressed the St. James Sunday-school of Augusta upon the subject of raising a monument to those who had gone out from the school and died in the defense of the South. The movement he inaugurated resulted in the handsome cenotaph which now adorns Greene street in front of St. James Church. This was in October, 1865, and it is a query whether Mr. Calvin was not the first man in the South to lift his voice in favor of inaugurating memorials to her dead heroes.

To Mr. Calvin belongs the right to claim a full share of the credit which is now so freely given the promoters of the New South. He prefers to call it "the Old South"—rehabilitated. With an active mind, quick comprehension and extensive knowledge, he has ever been fertile in devising means whereby the material interest of the community could be advanced. All of the public improvements which have been accomplished in Richmond county during the last two decades, and more, have been warmly advocated by him with voice and pen. The columns of the city press of Augusta within this period bears the strongest testimony to this fact. The people have learned to value his

suggestions on any question of public policy. His numerous contributions to the press not only show him to be easy and agreeable in composition, but one of the most practical writers in the State. He writes because he has something to convey to the people. He never indulges in the flowers of rhetoric, but in facts and figures. His mind is practical and utilitarian. Since 1879 he has been especially interested in farming, and from practical experience upon his farm, a few miles from the city, where he has resided since the date named, and by careful study he has been enabled to demonstrate better methods in the cultivation of the land and the advantages of a diversity of crops. Among his more recent efforts to advance the interests of his native State was his advocacy of the State Technological School at Atlanta, an institution recently put into operation. He was conspicuous among the supporters and promoters of this admirable system of instruction which some of the ablest and most practical educators in the country have predicted will be far-reaching in its power for good upon the industrial development of the State.

Mr. Calvin is a man of high character. His private life is above reproach. His virtues are not assumed. They are real attributes that go to make up a rounded character. While practicing an exemplary life, he is full of toleration and charity for the foibles and frailties of others. While always striving to do good and to elevate the standard of education and morals, he is never intolerant or discouraged in his labors because of disappointments or partial failures. While he may or may not be a believer in the theory of human perfection, he so acts toward others as though he believed that human patience should never become fatigued in its efforts to improve the educational, moral and material condition of his fellow-citizens of every class—without regard to creed, race, or condition of life. His mind is stored with practical knowledge and his industry never flags in its dissemination. His personal integrity and his exemplary life, combined with his practical talents, render him among the most useful, progressive and honorable citizens of Georgia.

Personally, Mr. Calvin is a gentleman of winning address, with pleasant, intellectual face, and is social and popular. He has been a consistent member of the Methodist Church since he was fourteen years of age. He is thoroughly domestic and finds his chief delight in his home life, which has been one of singular congeniality and happiness.

JONES, CHARLES COLCOCK, JR., L.L. D., was born in the city of Savannah, Ga., October 28, 1831. His paternal ancestors came from England and settled in Charleston, S. C., nearly two hundred years ago. His great-grandfather, John Jones, was the first of the family to become an inhabitant of Georgia. He valiantly espoused the cause of the colonies during the Revolutionary War, and while serving as a major in the Continental army fell before the British lines during the siege of Savannah, on October 9, 1779.

On this occasion he was acting in the capacity of aid-de-camp to Brigadier-General Lachlan McIntosh.

Rev. Charles C. Jones, D.D., the father of Colonel Jones, a well-known and distinguished Presbyterian divine, was for several years pastor of the First Presbyterian Church of Savannah. In 1832 he gave up active pastoral work and removed to his plantation in Liberty county, Ga., where he principally devoted his energies to the religious instruction of the negroes. He was a man of high literary attainment, and a pulpit orator of acknowledged ability. At one time he was professor of ecclesiastical history in the seminary at Columbia, S. C., and for several years occupied the position of secretary of the Presbyterian Board of Domestic Missions at Philadelphia. He was the author of several works on the religious instruction of the negro, and of a "History of the Church of God."

The boyhood of Colonel Jones was passed at the paternal homes—Monte Video and Maybank plantations—the former being the winter residence, and the latter the summer retreat of the family. His early studies were pursued under private tutors, superintended by his father. In 1848 he entered the South Carolina College at Columbia, where he completed the course of study prescribed for the freshman and sophomore years. He then entered the junior class at Nassau Hall, in Princeton, N. J., graduating from this institution with high honors in June, 1852.

Determining to pursue the profession of law, he began a course of study to that end in the law office of Samuel H. Perkins, esq., of Philadelphia. After spending a year in his office, he matriculated at Dane Law School, Harvard University, Cambridge, Mass., receiving the degree of L.L. B. in 1855. While at Cambridge, besides his regular law course, he attended the lectures of Professor Agassiz, Mr. Longfellow, Professor Lowell, and Dr. Holmes.

He was admitted to the bar in his native city, Savannah, Ga., on May 24, 1855, and in due time was admitted to practice in the Supreme Court of Georgia, the Sixth Circuit Court of the United States, in the District Court of the Confederate States, and subsequently in the Supreme Court of the United States

In 1857 he became the junior partner in the law firm of Ward, Owens & Jones. While Mr. Ward was absent as United States minister to China, Mr. Owens retired, and Hon. Henry R. Jackson, late minister of the United States to Austria, was admitted as a partner, the firm continuing as Ward, Jackson & Jones until Mr. Jackson was appointed judge of the District Court of the Confederate States of America for the District of Georgia.

Colonel Jones was married November 9, 1858, to Miss Ruth Berrien Whitehead, of Burke county, Ga. He was married the second time to Miss Eva Berrien Eve, of Augusta, Ga., both grand nieces of Hon. John McPherson Berrien, attorney-general during President Jackson's administration, and afterwards United States senator from Georgia.

In 1859 Colonel Jones was chosen an alderman of Savannah, and the following year was elected mayor of that city, a position rarely conferred on one so young by a corporation possessing such wealth, population, and commercial importance. During the term of his mayoralty the war between the States began, and to the usual duties incumbent upon him were thus added many abnormal questions, demanding for their solution serious consideration and prompt decision. Colonel Jones was a Secessionist, and during his term as mayor, delivered one of the earliest public addresses upon this subject.

When actual hostilities began, he declined a re-election as mayor, and joined the Chatham artillery—Captain Claghorn—of which light battery he was senior first-lieutenant, having been mustered into service July 31, 1861. In the fall of 1862 he was promoted to the grade of lieutenant-colonel of Artillery P. A. C. S. and assigned to duty as chief of artillery for the military district of Georgia. His command was subsequently enlarged so as to embrace the artillery in the Third District of South Carolina, his headquarters being at Savannah.

Colonel Jones was brought into intimate personal and military relations with General Beauregard, Lieutenant General Hardee, Major-Generals McLaws, Gilmer, Taliaferro and Patton Anderson, Brigadier-Generals Mercer, Lawton, and others. He was particularly attached to the artillery branch of the service, and in 1864 declined a commission as brigadier-general of infantry. He was chief of artillery during the siege of Savannah, which he has graphically described in his work on that subject, and figured prominently in the defense of that city. At one time he was in command of the field artillery on James Island during the siege of Charleston, and at another time was chief of artillery on the staff of Major-General Anderson, in Florida. Upon the fall of Savannah he was summoned by General Hardee and assumed the position of chief of artillery upon his staff, and was included in the surrender of General Joseph E. Johnston's army, which occurred in April, 1865.

In December, 1865, Colonel Jones removed with his family to New York City, and resumed the practice of his profession, which he continued with success until his return to Georgia in 1877. While in New York he enjoyed opportunities for study and literary research which elsewhere he could not have so conveniently commanded. Among his literary labors there performed were his "Historical Sketch of the Chatham Artillery during the Confederate Struggle for Independence," (1867); "Historical Sketch of Tomo chi-chi, Mico of the Yamacraws," (1868); "Reminiscences of the Last Days, Death, and Burial of General Henry Lee," (1870); "Casimir Pulaski," (1873); Antiquities of the Southern Indians, Particularly of the Georgia Tribes," (1873); "The Siege of Savannah in 1779," (1874); "The Siege of Savannah in December, 1864" &c., (1874); Sergeant William Jasper," (1876); and a "Roster of General Officers, Heads of Departments, Senators, Representatives, Military Or-

ganizations, etc., etc., in the Confederate Government During the War Between the States," (1876).

On his return to Georgia in 1877 Colonel Jones located at "Montrose," in Summerville, near Augusta, where he still resides, his law office being in the city of Augusta. Aside from his professional labors he has manifested continued activity in historical research and literary pursuits. Among the products of his pen are "Life and Services of Commodore Tattnall," (1878); "Dead Towns of Georgia," (1880); "De Soto's March through Georgia," (1880); "Memorial of Jean Pierre Purry," (1880); "The Georgia Historical Society, its Founders, Patrons and Friends," (1881); "The Life and Services of ex-Governor Charles Jones Jenkins," (1884); "Sepulture of Major-General Nathanael Greene and Count Casimir Pulaski," (1885); "The Life, Literary Labors, and Neglected Grave of Richard Henry Wilde," (1885); "Biographical Sketch of Major John Habersham of Georgia," (1886); "Biography of General Robert Toombs," (1886); "The Life and Services of the Honorable Samuel Elbert of Georgia," (1887); "The English Colonization of Georgia," (1887); "Negro Myths from the Georgia Coast," (1888); and more particularly his "History of Georgia," (1883); a work of which the historian Bancroft remarked that it was the finest State history he had ever read, and that its high qualities entitled its author to be called the Macaulay of the South. It consists of two volumes illustrated; the first dealing with the aboriginal and colonial periods of Georgia, and the second being concerned with the Revolutionary epoch and a narrative of the events which culminated in the revolt of the colony and its erection into the dignity of an independent commonwealth. This work represents the best labors of Colonel Jones in the historical vein, while his "Antiquities of the Southern Indians" illustrates the chief fruits of his labors in the field of archæology.

Colonel Jones is a forcible and graceful speaker, and his numerous public addresses give abundant evidence of a very high order of literary excellence. Among his printed public speeches especially deserving mention are his "Oration upon the Unveiling and Dedication of the Confederate Monument in Augusta, Ga.," (1878); his "Funeral Oration Pronounced at the Capitol of Georgia over the Honorable Alexander H. Stephens," his address entitled "The Old South," (1887); and his series of addresses delivered before the Confederate Survivors' Association, of which he is president, and which is largely perpetuated through his endeavors. The latter are for the most part historical in their character, and constitute studies of military events connected with Georgia annals during the war between the States.

During the past year (1888) in addition to the publications mentioned, Colonel Jones has written two memorial histories of the cities of Savannah and Augusta during the eighteenth century. He has been twice complimented with the degree of L.L.D., and is a member of various literary societies both in this

country and in Europe. His "Antiquities of the Southern Indians" was the work which first brought him prominently before the attention of European scholars and introduced him to scientific circles abroad. Another contribution to the literature of his State in the department of archæology is his "Monumental Remains of Georgia," (Savannah, 1861). Other works in the same field are his "Indian Remains in Southern Georgia," (Savannah, 1859); "Ancient Tumuli on the Savannah River," (New York, 1868); "Ancient Tumuli in Georgia," (Worcester, Mass., 1861); and "Aboriginal Structures in Georgia," (Washington, 1878).

In a recent publication by Mr. Alden appeared an extended biographical sketch of Cololel Jones, from which we have obtained the facts for the preparation of the foregoing sketch; and in several instances we have used its exact language. The following pen picture of Colonel Jones, with a description of his manner and method of work and personal characteristics is taken from this admirably written article: "The truth is, while he has in no wise neglected his profession, or failed in the discharge of duties appurtenant to it, law has never been to him a very jealous mistress. For him history, biography, and archæology have presented enticing attractions, and in that direction has he made most of his 'footprints in the sands of time.' Governor Stephens bore testimony to this fact when he said: 'He has not permitted the calls of his profession, however, to absorb all his time and energy. By a methodical economy in the arrangement of business, peculiar to himself, he has even under the greatest pressure of office duties found leisure to contribute largely to the literature, as well as the science of the country, by his pen.'

"Erect in carriage, six feet high, powerfully built, with broad shoulders, surmounted by a massive head covered with a wealth of ringlets sprinkled with grey, with genial countenance, handsome features, and a lofty brow overhanging a pair of penetrating blue eyes, Colonel Jones is at once a man of commanding presence and the soul of courtliness and grace. Eloquent in utterance, wise in counsel, decisive in action, public-spirited, liberal to the extent of his means, with a charity and sympathy as broad as the race, high-toned in sentiment and act, and noble and generous in his impulses, he presents an attractive portrait of unselfishness and earnest devotion to duty, challenging the respect and confidence of all. To charming social qualities of a high order and an affable address he unites varied and comprehensive knowledge, a retentive memory, a mind open to all impressions, and an interest in everything savoring of intellectual development. His energy and activity are never more apparent than when engaged upon any literary composition. He then works with great rapidity, seldom revising or reading his manuscript until it is finished. In proof of this assertion we may instance his "Siege of Savannah in 1864," which was written in seven evenings; the two volumes of his "History of Georgia," which, exclusive of the preliminary study involved, were prepared

at odd intervals during seven months; and his Memorial Histories of Augusta and Savannah, which were begun and completed within less than two months. While possessing the ability of rapid composition, he also has that other desirable attribute of excellent chorography. His penmanship is faultless, and his bold flowing hand is not only legible but very attractive.

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"It is not an exageration to affirm that Colonel Jones is the most prolific author Georgia has ever produced, and stands at the head of the historical writers of the South of the present generation."

Before concluding this notice of Colonel Jones it is proper to add that he has been an extensive collector of prehistoric objects illustrative of the antiquities of the Southern Indians; that his authograph collections, which are in themselves a treasure-house, embrace two complete sets of the Signers of the Declaration of Independence; and that he possesses a large and valuable library containing many privately illustrated volumes.

MCCOY, WILLIAM E., was born in Augusta, Ga., on November 14, 1840, and is the son of Charles and Frances A. (Tutt) McCoy. He was educated in the schools of Augusta, but early in life began a mercantile career as a clerk in one of the business houses of the city, and when the war between the States began was serving as bookkeeper.

He enlisted in the Confederate army on May 11, 1861, as a private in Company A, known as the Clinch Rifles, of the Fifth Georgia Regiment. He served throughout the war, and upon the return of peace returned to Augusta and began clerking for a living. His first experience in cotton manufacturing was as bookkeeper for the Graniteville Manufacturing Company at Graniteville, S. C., in January, 1868. The year following he was made cashier of that company and stationed in Augusta, in the office of the president, Mr. H. H. Hickman, where he remained until April, 1878, when, having resigned, he removed to New York and remained there until January, 1879. He then returned to Augusta, where he purchased the Augusta Waste Works, which he successfully operated until October, 1881, when a joint stock company was formed, the name of the new company being changed to the Riverside Mills. Mr. McCoy was elected president of the new company, a position which he has continued to fill until the present time. The growth of the mill under his able management has been rapid and most gratifying. At the present time about two hundred and twenty five hands are employed in the manufacture of cotton batting, machinery waste and paper stock, being the only concern of its kind in the Southern States. The success of the undertaking is largely due to the exertions of Mr. McCoy, who, from the beginning, has given it almost his undivided attention as well as watchful care.

Mr. McCoy is also interested in other corporations, being a member of the

board of directors of the following institutions: The John P. King Manufacturing Company, Augusta Land Company, Georgia Railroad and Banking Company, the Manufacturers' Insurance Mutual Aid Society, which is strictly an insurance company, and the Southern Manufacturers' Association.

Mr. McCoy is a member of St. Paul Church, and has taken an active part in the Masonic order, being a thirty-second degree Mason, and is a past grand captain-general of the Grand Commandery of the State of Georgia. He was married in 1878 to Mrs. Katharine Hammond Gregg, who died in 1882.

Leaving the Confederate ranks in the spring of 1865 a penniless soldier, Mr. McCoy has by his energy, his persistent and determined efforts gained a most creditable place among the successful business men of Augusta. He is thorough master of his line of business and feels a justified pride in its progress. He is a hard worker, methodical in his methods, and possesses executive and administrative ability to a marked degree. High minded and of the strictest integrity, his standing in this community, in all that constitutes good citizenship, is of the highest order.

PHINIZY, CHARLES H., of Augusta, was born January 15, 1835, on what is known as the Eve plantation, a few miles from the city of Augusta, and is a son of John and Martha (Cresswell) Phinizy. His early education was received at home until his preparation for a collegiate course, when he entered the State University of Georgia, graduating from that institution in 1853. He afterwards took a course of scientific study under D. H. Mahan, professor of engineering at the United States Military Academy at West Point. For some two or three years thereafter he was employed as a civil engineer during the construction of the Blue Ridge Railroad.

At the beginning of the war between the States he entered the Confederate service as first lieutenant of Company B, of the Tenth Georgia Regiment. He was soon after transferred to the adjutant-general's department and assigned to duty with Brigadier-General Alfred Cummings. In the consolidation of regiments in 1865 he was commissioned as colonel of the Thirty-ninth Georgia Regiment, which position he held until the final surrender of the Confederate army. He Served in Battles of Williamsburg, Seven Pines, Malvern Hill, Sharpsburg. siege of Vicksburg, Hood's campaign in Tennessee, Missionary Ridge, Jonesboro, Powder Springs Road, Bennettsville, and in innumerable smaller engagements, and surrendered at Greensboro, N. C.

After the close of the war Colonel Phinizy, in the fall of 1865, embarked in the cotton factorage business in Augusta, which he successfully conducted until 1879, when he retired from this line of business. In the meantime he had become largely interested in railroad operation and construction, and soon after his retirement from the cotton business, in 1879, he was elected president of the Georgia Railroad and the Georgia Railroad and Banking Company.

He remained as president of the Georgia Railroad until it was leased in May, 1881, since which time he has been one of the six commissioners who have general charge of the road. He is still president of the banking company, a position he has filled most creditably to himself and to the entire satisfaction of the stockholders and directors. In 1882 he was elected president of the Augusta Factory, but after holding this position for five years he resigned in 1887. Since July, 1888, he has also been president of the Atlanta and West Point Railroad. Besides his large interest in the corporation named he is a director in the Central Railroad and Banking Company of Georgia, the Port Royal and Augusta Railroad, the Port Royal and Western Carolina Railroad, the Western Railroad of Alabama, and the Augusta Factory. During the late Augusta National Exposition Colonel Phinizy was first vice-president of this enterprise, and by his personal efforts largely contributed to its success.

As a business man Colonel Phinizy's course has been marked by rare success. He is conservative, possesses excellent judgment and a high degree of administrative ability. His business ventures have all been in the legitimate line of trade and commerce, and his success has been won by fair and honorable methods. He possesses in the highest degree the respect and confidence of the people of this community, where the entire years of his life have been passed, and where few names are better known than his own. While a thorough business man in the best sense of the term, he is social and affable in disposition, and in his home dispenses a hospitality typical of the true Southern gentleman. Colonel Phinizy was married in 1885, to the widow of F. B. Phinizy, and daughter of Colonel B. C. Yancey, of Georgia.

SIBLEY, JOSIAH, the eighth in lineal descent from John Sibley, who, in 1629, removing from St. Albans in Hertfordshire, England, settled first at Naumkeag (Salem), and afterwards at Charlestown, Mass., was born at Uxbridge, in that State on the 1st of April, 1808. His father, Joel Sibley, was a farmer, and the subject of this sketch was the third of four sons. His mother, Lois, was the daughter of Ezekiel Wood, of Uxbridge, Mass. Until 1821 Josiah's life was passed at home, where he lent a helping hand to the agricultural employment and the domestic engagements incident to the conduct of his father's farm. His early education was acquired in the district school of his native town.

When only thirteen years of age he left the parental roof and came to Augusta, Ga., where his elder brothers—Amory and Royal—had established themselves in business and were conducting a thriving trade. His first employment was as a clerk in their store. The compensation allowed was small, his brothers agreeing to furnish board and clothing, and permitting him to retain as a salary whatever profit was realized in the establishment from the sale of fishing tackle and pocket knives. This opportunity for personal emolument

Josiah Sibley

was subsequently enlarged when his brothers consented that he should deal in oranges, and appropriate to his own use whatever pecuniary benefits might accrue from the sale of this fruit. His first venture in this line was in association with Mr. Edward Padelford, of Savannah.

The dealings begun in this modest way between these lads—both newly arrived in Georgia—developed in after years into large and profitable transactions covering the staple commodities of this region. Both of them became prominent merchants, and accumulated large fortunes. When Mr. Sibley fixed his home in Augusta it was a frontier town of only some six thousand inhabitants. Its trade, however, transcended what might ordinarily have been expected from a population of that size. Communication with the coast was maintained by means of boats ascending and descending the Savannah River. Cotton from an extensive region here found a ready market; and from this point were obtained supplies of various sorts which were consumed not only in Middle and Upper Georgia, but also in Alabama, Tennessee, and the Carolinas. The wagon trade with distant points was extensive. The commercial activity of Augusta was pronounced, and mercantile ventures were generally remunerative. Mr. Royal Sibley dying in 1822, Mr. Josiah Sibley continued with his brother Amory until 1828, when he was admitted into partnership with him. Under the firm name of A. & J. Sibley these gentlemen opened a business establishment as wholesale and retail merchants and dealers in cotton, in the town of Hamburg in South Carolina. For many years after its completion that village formed one of the termini of the South Carolina Railroad. Great difficulty was experienced in obtaining permission for that corporation to cross the Savannah River and connect with Augusta. Hamburg was then a thriving town, and considerable business was transacted within its limits. Between fifty and seventy thousand bales of cotton were annually sold in its streets. Taking advantage of the situation, and in a large measure monopolizing this trade, the brothers Sibley for several years conducted a large and lucrative business at this point. In 1849 Mr. Amory Sibley who, for some time, had filled the office of president of the Mechanics Bank, and was one of the foremost cotton buyers of this region, died. Prior to this event Mr. Josiah Sibley had purchased his brothers interest in the concern and had been conducting on his own account the business which had been built up by the firm of A. & J. Sibley. In 1853 he associated in partnership with himself his eldest son, Mr. William C. Sibley. The firm was then known as J. Sibley & Son. Two years afterwards, Hamburg having entered upon a period of decadence, and the facilities for conducting business operations being superior on the Georgia side of the Savannah River, J. Sibley & Son removed to Augusta. As they respectively attained unto manhood, Samuel, George, and Robert—sons of Mr. Josiah Sibley—were successively admitted as members of the firm, which was thereafter known as Josiah Sibley & Sons. By this partnership was an ex-

tensive and profitable business carried on in purchasing and shipping cotton, and also in the sale of that commodity on commission. No mercantile house in Augusta stood in higher repute. By none were more important commercial transactions negotiated.

Mr. Josiah Sibley retired from active business in 1874. Until his death, which occurred in the village of Summerville, Richmond county, Ga., on the 7th of December, 1888, he gave his personal attention to the management of his large estate, and to supervising his planting interests, in which he was deeply concerned.

In association with Mr. Langley and others, he was, in 1870, instrumental in organizing the Langley Manufacturing Company. As a leading director he always manifested the liveliest interest in the success of that establishment, over the fortunes of which his son, Major William C. Sibley, presided with so much ability.

His zeal in developing the material interests of the community with which he was so long and so intimately associated was further manifested in his liberal contribution of time, money, and influence toward the erection and equipment of the Sibley Cotton Mill in Augusta, than which there is no more substantial or attractive manufacturing establishment in the South. In token of the universal respect and esteem in which he was held, and as a recognition of his valuable aid in this important behalf, this extensive and beautiful mill was named in his honor. It is an ornament to the region; and, under the capable management of Major William C. Sibley, gives promise of a profitable future.

While never an office holder or a seeker after political preferment, Mr. Sibley was always public-spirited, and prompt to bear his share of the responsibilities which a community has the right to impose upon its rich and influential members.

For many years he was a director in the Mechanics' Bank, and also in the Georgia Railroad and Banking Company. In 1867 and 1868 he was a member of the city council of Augusta, and, at one time was of the committee which devised the scheme for retiring the bonded indebtedness of the city of Augusta by means of a sinking fund. With the enlargement of the city canal, with the conduct of the Augusta Land Company, and with the administration of the affairs of the Augusta Orphan Asylum, he was closely identified. In his religious belief Mr. Sibley was a Presbyterian, and his charities in support of the ministrations of religion and the promulgation of Christianity were constant and liberal.

The distinguishing traits of his character were absolute integrity, inflexible honesty, admirable business sagacity, tireless industry, and generous, though discriminating philanthropy. He neglected no obligation, and was a pillar of strength and confidence in the community. His influence was always exerted in the support of justice and right, and he has left an impress for good upon his day and generation.

Mr. Sibley was twice married: First on the 25th of July, 1831, to Miss Sarah Ann Crapon, the daughter of William and Hannah Crapon, of Providence, R. I. Eleven children were the fruit of this marriage, to wit: William Crapon, born May 3, 1832; Henry Josiah, born November 19, 1833, died July 25, 1864; Samuel Hale, born September 9, 1835, died December, 1884; Sophia Matilda, born October 16, 1837; George Royal, born July 19, 1839, died July, 1887; Fannie Maria, born October 13, 1841, died December 20, 1842; Mary Lois, born September 3, 1843, died February 23, 1864; Alice Maria, born February 9, 1846; Robert Pendleton, born February 17, 1848; Caroline Crapon, born February 21, 1850, died November 16, 1858, and Amory Walter, born June 19, 1852. Mr. Sibley's second wife was Miss Emma Eve Longstreet, of Richmond county, Ga. To them four children were born, namely, John Adams, born September 1, 1861; James Longstreet, born August 4, 1863; Mary Bones, born March 29, 1865, and Emma Josephine, born February 23, 1867.

In his domestic relations, in his intercourse with his fellow-man, in his business transactions, and in his association with church and community, Mr. Sibley's conduct was marked by purity, probity, liberality, public spirit, and Christian integrity. He was emphatically a just, an honest, an influential, and a God fearing man.

THOMPSON, JESSE, was born in Camden, South Carolina, July 19, 1843, and is the son of Starling and Margaret Thompson. He moved with his parents to Augusta in 1854, and here his early education was principally received. His father was a carpenter and builder, and as soon as his son was old enough to engage in work he entered the employ of W. H. Goodrich, a well known builder. Before he had made much advance in his chosen occupation, the civil war began, and in January, 1861, he entered the Confederate service as a member of the First Carolina Regiment, and remained with this command until the end of its period of enlistment. He then re-enlisted in Blodgett's Artillery, of Augusta, and at the reorganization of the army in 1862, at Yorktown, he was made a first lieutenant of a company, and served in that capacity until the war closed

After the war he returned to Augusta, and entered the employ of a firm engaged in building and manufacturing carpenter's supplies. In 1868 he became a member of this firm by purchasing the interest of one of the partners, the firm at this time being known as McMurphy & Thompson, the individual members, besides the subject of this sketch, being A. M. McMurphy and W. K. Thompson. W. K. Thompson retired in 1872, when G. S. Heindel became a partner under the firm name of Thompson & Heindel. No change occured in the firm until about five years ago, when Mr. Heindel died. The present firm of Jesse Thompson & Co. was then formed, which besides the senior partner, is now composed of Louis Thompson, A. G. Sherman and William S. Gregg, all three of whom were formerly in Mr. Thompson's employ.

During the earlier years of the existence of this firm, besides dealing in lumber and the manufacture of sash, doors and blinds, contracting and building represented an important feature of the business, and many of the public and private buildings in the city were erected by them, but of late years their lumber and manufacturing business has engrossed their entire attention. Their business has steadily grown from year to year, and at the present time at their well equipped plant on the corner of Hale and Centre streets about ninety men are employed.

Several years ago they established a saw-mill in Emanuel county, where lumber for their factory is sawed. For the purpose of bringing their supplies to the city they built in 1880 a railroad since known as the Midville and Swainsboro Railroad. It is twenty-two miles in length, and runs from Midland on the Georgia Central to the county seat of Emanual county. As the country along the line of this road became developed, a general railroad business was secured by the line. Since May, 1888, it has been operated under a separate charter, Mr. Thompson being general manager and principal owner. Three saw-mills are now located on this line, the one operated by Jesse Thompson & Co. employing about sixty men.

In the development of the business with which he has been so long connected, Mr. Thompson has achieved well deserved success He is and has been for years the main factor in its prosperity, and has given it his almost undivided attention. The line of his efforts have all been in the direction from which Augusta has reaped substantial reward, and his success has been to the material advancement of the city. As a business man he has the entire confidence of the business community, while his standing as a citizen both in public and private life is above reproach. In 1885 he organized the Augusta Ice Company for the manufacture of ice, of which he has since been president. He was also one of the directors of the Augusta National Exposition. He is a member of the St. James Methodist Church, of which he has been one of the stewarts for the last four years, and was a most liberal contributor towards its remodeling and construction in 1888. Often solicited to enter public life he has steadfastly declined to become a candidate for office. Public station has no charm for him, while his private business commands all of his time and energies.

Mr. Thompson was married in 1868 to Miss Jane Fulghum, of Augusta, who died in April, 1885. Seven children were born to them, all of whom are living. Mr. Thompson's present wife was Miss S. A. Stubb, of Augusta, to whom he was married in June, 1887.

KING, JOHN PENDLETON. Among those who attained an exalted standard of excellence in the community in which they resided, who promoted the mental, moral and material development of their age and State, and

the record of whose lives constitute an abiding example for the guidance and emulation of the coming generations was the Hon. John Pendleton King, of Augusta, Ga. His career was adorned by purity, honesty, courage, fidelity and patriotism; and the achievements and acts of a life dignified by a constant and illustrious manifestation of these cardinal traits are eminently worthy of narration.

He was born April 3rd, 1799, near Glasgow, Barron county, Ky., and was the son of Francis King, formerly of Hanover county, Va., and Mary Patrick, of Pendleton District, in South Carolina. Soon after his birth his father moved to Bedford county, Tenn., where his schooling began at the age of nine years. He boarded at the school during the week, making his way there and back on horseback. In his sixteenth year, provided by his father with a sufficient sum of money and a good horse, he set out for Columbia county, Ga., the home of a maternal uncle. On the way he crossed Tennessee River at Lowery's Ferry, the reservation of old John Lowery, the Cherokee Chief, and was so struck with the beauty of the place, that years afterward, when it was on the market he bought it, and it is now in the possession of his son.

After a short sojourn in Columbia county he went to Augusta, where, in 1817, he entered Richmond Academy, one of the oldest institutions of learning in the United States, and by unremitting industry he was enabled to acquire a fair education. Upon completing his academic course he commenced the study of law in the office of Major Freeman Walker, then a leading lawyer and accomplished orator in Augusta, and was admitted to the bar in August, 1819, before he reached his majority. The young attorney rapidly acquired a large and lucrative practice, which was largely augmented soon after his admission to the bar by Major Walker, who, having been elected to the United States Senate, showed his confidence in young King by transferring to him his own practice.

Money came to him easily. Wealth earned for him ease, and at a time when most men are striving to redouble their fortunes young King leisurely sailed for Europe in December, 1821, where he spent two years, and added to his practical knowledge the benefits of travel and the study of language, manners and men. He was at a receptive age. His activity had not been impaired by long drudgery and impending age. His travel was worth more to him than it could ever be again. He mastered systems and observed methods. So that when he returned to his home in Augusta he had blended with his technical training and professional skill a wider range of information. In Paris he made the acquaintance of General Lafayette, then about to pay a visit to the United States as the invited guest of the American Congress. On the ocean voyage he sailed on the same vessel with Mr. King, and during the journey they became intimately acquainted and a lasting friendship was formed. After the distinguished gentleman had made a trip through the North, visiting

Boston, New York, Washington, and all the other principal cities, he visited Augusta in the fall of 1825. Here he was entertained by Mr. King, who accompanied him through the city, where he was received with the highest honors. On the occasion of his reception Mr. King was selected to deliver the address of welcome

The panic of 1825 greatly increased litigation and enlarged the profits of the legal profession, and after a few years successful practice Mr. King retired in 1829 to give his whole attention to his large estate and extensive private interests. He showed a striking aptitude for the law; his mind was of that clear and analytical caste, and his reasoning powers so exact and incisive as eminently to fit him for the discussion of legal propositions. If he had adhered to the law and his ambition had led him in the direction of professional preferment, he could have reached and would have adorned the highest judicial positions in the land.

In 1830 he attended a convention called for the reform of the State Constitution, in which the important question of the equalization of representation was strongly advocated by him. It was opposed, however, by so many local interests that it failed to be ratified by the people.

He was appointed by Governor Lumpkin in 1831 judge of the Court of Common Pleas, a position he held but for a short time, long enough, however, to give him the title by which he was so long afterwards known. In 1833 he was chosen a member of the Constitutional Convention of Georgia of that year. In this body he greatly distinguished himself; he was a Jackson Democrat and took the lead of that party in the convention By his debates in the convention, and especially by his discussions with the late William H. Crawford, he gained a reputation as one of the ablest and most eloquent men in Georgia.

In the fall of 1833, while attending to some private business in Vicksburg, he received intelligence that, without being a candidate, he had in his absence been elected to fill the vacancy in the United States Senate occasioned by the resignation of the distinguished statesman, George M. Troup. This was a great compliment to Judge King's abilities to award him, unsought, the successorship to so gifted and accomplished a gentleman as Governor Troup, but a still higher one when at the termination of the unexpired term of two years he was re-elected for the full term of six years. Appointed to this high office in his thirty-fourth year he enjoyed the peculiar privilege of being the youngest senator of his time, if not of any time in the history of the Senate. In those days the great intellectual gladiators were figuring upon the floor of the American Senate; Calhoun, Webster and Clay, Benton, Wight, Buchanan, Bayard, and Forsyth were there, and many grave questions were before the country demanding wise and patriotic solution. Andrew Jackson was president, of whom it was aptly said "his every step was a contest, and every contest a victory." It was at a time like this, when not only the questions of currency

and finance springing out of the action in regard to the National Bank, but also the questions arising upon the disposition to be made of the public lands, the removal of the Indians across the Mississippi, internal improvements by the general government, the tariff, the French spoliation bill, the reception of abolition petitions, and many other important questions were demanding settlement, that Judge King entered the United States Senate and took and maintained a high position. Speaking but seldom, he took part in the debate upon most of these grave issues, and at once won position in that body as a man of fine abilities and culture, and as an inductive reasoner and logical debater whose powers were of superior order. As evidence of this many compliments from senators and warm discussions maintained with him by the ablest in that body might be adduced. But it will suffice for this purpose to mention the fact that Thomas H. Benton himself, one of the first men in the country, and noted alike for his powers as a logician and his vast and varied learning, in his speech delivered in the Senate on the French spoliation bill, took occasion to specially compliment the speech of Judge King, delivered in the Senate on the same subject. He said, among other things: "The gentleman from Georgia (Mr. King) has given a valid and able picture of the exertions of the United States government in behalf of these claims. He has shown that they have been paid, on our part, by the invaluable blood of our citizens. Such is the fact, etc." But in his most interesting and readable book, entitled, "Thirty Years in the United States Senate," Mr. Benton pays a further compliment to Judge King, by reproducing in it a short debate between him and Mr. Calhoun, and which is adverted to here, and will be briefly noticed for the purpose of illustrating a characteristic trait exhibiting itself through the whole life of the subject of this sketch. Mr. Calhoun had asked for the appointment of a special committee, to which should be referred so much of the president's message as related to mail transmission of incendiary publications. This was opposed by Mr. King, of Alabama, and Mr. Grundy, the chairman of the committee on post-offices and post-roads, on the ground that that was the appropriate committee for such reference. Mr. Calhoun insisted, however, on his view that the committee should be a special one, and be appointed mainly from that section whose security and rights were threatened by this unlawful use of the mails, and the Senate yielded to his wish and permitted him to name the committee, which he at once proceeded to do, as follows: Mr. Calhoun, chairman; Mr. King, of Georgia; Mr. Mangum, of North Carolina; Mr. Davis, of Massachusetts; and Mr. Linn, of Missouri. A bill and report was soon brought in by the committee—a bill subjecting to penalties any postmaster who should knowingly receive and put into the mail a publication or picture touching the subject of slavery. When the report was read a motion was made to print 5,000 extra copies of it. This motion brought several of the committee to their feet, among them Judge King, who protested that some of the views (Mr.

Calhoun had injected into it some of his peculiar nullification views) were not concurred in by him, though many parts of the report had his hearty concurrence. It was also the view of Judge King that by giving to the matter such special prominence, excitement would be engendered, and thus produce injury rather than benefit. In the progress of the debate Judge King used the following sententious and somewhat severe remarks, to wit: "That positions had been assumed and principles insisted upon by Mr. Calhoun not only inconsistent with the bill reported, but he thought inconsistent with the Union itself, and which, if established and carried into practice, would hastily end in its dissolution." Without quoting further from this discussion let it be remembered that the sole use designed to be made of the quotation given is to present in bold relief a striking characteristic of the man, and which has ever given his opinions and position commanding weight and influence, to wit: his self-reliance and manly independence of thought and will, the ever sure indicia of strong intellect and the unfailing harbinger (when wisely restrained in limits of prudence and modesty, as was the case with him) of usefulness and success.

It was no ordinary compliment for Mr. Calhoun to suggest his name first on that special committee. Lesser men than Judge King might have been so flattered by it as not to have been conscious of a subordination of their own views and convictions on grave questions raised in committee to the masterly power and will of this truly great statesman. Not so with Judge King. Nothing could bend or swerve his mental independence, and the debate, which was participated in by Clay, Webster and others, will show with what vigor and ability he boldly dissented from the great Carolinian. Many and very interesting extracts might be introduced here from his various speeches while in the Senate on the questions of deep public concern in that day, that would go to show the high capacities of their author for the duties then devolved upon him, and excite regret that his inclination led him away from a position of so much distinction and responsibility, and for which he was so eminently fitted. He had no toleration for injustice, but demanded equality and equity in all matters, and he ever especially opposed the practice of officials taking liberties, even to the smallest extent, with the public property or funds entrusted for the time to their guardianship.

In his speech on the bill to prohibit the sales of the public lands except to actual settlers, the question before the Senate being on the motion of Mr. Clay to strike out the fourth section, which contained the pre-emption principles, he said he viewed the bill as establishing a system of partiality, plunder and perfidy—a system in which those who had the least merit would make the most profitable speculations. If the bill passed at all, he was indifferent as the details of it; perhaps it would be better for the country if it should pass in the worst shape in which it had been presented. It was not surprising that it should be popular with those who were to be greatly benefited by it; but that

those whose constituents were to be plundered should tamely submit was not and ought not to be expected. But he was much mistaken if this measure could be protected from the discontent and indignation with which the great majority of the United States always visit a course of injustice and oppression. They should recollect that the public lands were public treasure, and belonged as much to the whole people of the United States as the money in the treasury, and should be protected precisely in the same way, and should be distributed among the States with as much equality as possible. A very large portion of the property was acquired by the common blood and treasure of the old thirteen States, and the other portion was purchased with the money of the whole derived from the taxation on the consumption of the country, the consumers being principally in the old States.

Senator Bayard, father of the present distinguished senator of that name, followed Judge King, and spoke in very eulogistic terms of his speech, commencing with the remark, "he had listened with great delight to the senator from Georgia, who has given a true exposition of facts as connected with the speculation going on in public lands and the effects which would result from passing the bill."

This speech was one of the ablest delivered on that question, and no man can read it now without understanding how it was that Judge King so thoroughly commanded the attention of the senators, as he always did, when he went fully into the discussion of a question.

He has been from his youth up an eminently practical man. One short sentence uttered by him in passing, while making a speech of much power in the Senate on the currency question, plainly but fully illustrates his character in this particular. Said he: "We should never resort to theory when we have the lights of experience to guide us."

Soon after he had taken his seat as a senator from Georgia, alongside of the eloquent and powerful Forsyth, a proposition was being discussed that Judge King instantly condemned as being an unauthorized attempt to bestow favor upon the representatives of the people in an unconstitutional way.

The resolution authorized the purchase of thirteen copies of the American State Papers, and Messrs. Frelinghuysen and Ewing explained that the work was indispensible to members of Congress in the performance of their legislative duties and was already printed; and the object was only to supply those new senators (Judge King was one of them) who had not yet obtained them. Judge King opposed the resolution on constitutional grounds, "that it was taking money out of the treasury for the purchase of books for private libraries of members without an appropriation by law; and that any other works might, with the same propriety, be purchased, and to any amount and extent." He admitted "that works might be purchased which were necessary for the use of the members in performance of their public duties; but that they should

be confined to the office, and not given as an absolute property to the officer;" and he moved, though unsuccessfully, to lay the resolution on the table for the balance of the session. He also and for the same reason opposed the clause in the appropriation bill for the purchase for members of Congress of the "Documentary History of the United States." He said he should vote to strike out the clause from the bill, and should thus vote against the amendment of his colleague. He thought there was no more authority in Congress to set up a book shop than to set up a millinery shop, to buy books for members than to buy bonnets for ladies. He referred to the constitutional powers of Congress, and declared from none of them was the authority derived. He expressed the belief that the work, if authorized, would cost the government three or four millions of dollars. He disclaimed any intention to cast censure upon the contractors, but was of the opinion that the contract was erroneously and unconstitutionally entered into; and that the secretary of State had been taken in.

This has been a fixed principle of Judge King's whole life when dealing with funds not his own, as many will admit, who know with what pertinacity and uncompromising hostility he has, as president of the Georgia Railroad, opposed any and every species of deadheadism.

Although a thorough Union Democrat he did not at all times approve and endorse every feature of party policy put forth by those who claimed to be the leaders; and he would thus sometimes subject himself to severe criticism anp censure from the merely partisan press and politicians. Even in those days of high party excitement and passion he differed with some of the measures of the Jackson administration, for then as ever through his whole life he was opposed to what he considered extremes, and always had the fearless, independent manhood and honesty to oppose them, even when advocated by his warmest political friends.

But the jars and wrangling and constant excitement incident to political life were unsuited to his tastes and habits of thought, and some of the party press of the State having censured, unjustly as he thought, a very notable speech he made against some of the leading measures of Mr. Van Buren's administration, he, in 1837, promptly resigned the trust committed to his charge and retired into private life. "No like abandonment of politics from personal disgust," says Alexander H. Stephens, "has ever occurred in the history of the United States." It may be added here that he never afterward accepted political preferment, and his career thus exhibits the rare distinction, unparalleled perhaps in our political history, of having held but one political office, and that the highest—the office of United State senator.

Judge King had served throughout as a Democrat, but never as a demagogue. He always declined to be a partisan. He bitterly opposed the nullification theories of Mr. Calhoun; he did not justify the removal of bank deposits by President Jackson; he declined even to sanction the efforts of his own colleague,

Forsyth, to furnish the Senate with important documents at public expense. He fought the system of pre-emption of public land, and made a record against monopoly and money power in every form. He voted with his party when Democracy seemed right, and fought them openly whenever they went wrong. He was fearless, honest, unyielding and resourceful, blunt, candid and impetuous, and was always practical and profound.

The monetary affairs of the country, through reckless legislation, were at this time in a most disordered condition, and great financial misery existed everywhere. Commercial enterprises in Georgia as elsewhere were completely paralyzed, and the affairs of the Georgia Railroad being in an embarassed state, he was pressed by the shareholders to assume its management. This road was commenced in 1835, and was projected to connect Augusta with Atlanta by way of Madison, with a branch line to Athens. When Judge King assumed the management, in 1841, it was only completed as far as Madison. Having agreed to take charge of its affairs for a period of two years, he placed his own private fortune and credit at the command of the company, and ere long by good management and close economy, put it on a safe and remunerative footing. He completed the main line to Atlanta and the branch to Athens without calling upon the stockholders for a dollar, and the earnings of the road increased to such an extent under his management that besides paying large dividends for many years he had, at the beginning of the war in 1861, a surplus of something over $1,000,000 in hand. During the war the rolling stock and track of the road was almost entirely destroyed by Sherman's raiders, the loss aggregating nearly $3,000,000. The restoration was necessarily very gradual, and it has only been within recent years that it has been put in as good condition as before the war.

In his first report to the stockholders after the war in 1866, treating of the discouraging outlook and of the political restrictions in business, Mr. King says: "The question occurs, how long is this condition to continue? The directors are no politicians or prophets, but they will venture a prediction, which accords with their hopes, that it cannot continue long. Our hopes rest upon the obvious truth that the interests of the people of the whole United States are identified with our own. However passion and prejudice may obscure the truth for a time, it will soon be seen and felt that the great industrial and consuming classes and the governing class are in a position of antagonism to each other. Every material condition at the North and West is much concerned in the rapid restoration of Southern industry. To the navigating, commercial, financial, mining, manufacturing and agricultural interests Southern products are vastly important, and to some of them these interests are almost vital. Let conviction of these obvious truths penetrate the national heart, and the contest cannot last long."

Banking privileges were granted by the State to the Georgia Railroad, and

previous to the war it was a bank of issue. It has always had a large deposit and discount business, and from the status given it by the wealth and standing of its stockholders, ranks probably higher than any other banking institution in Georgia.

Perceiving the necessity of connecting the Georgia Railroad with the southwestern part of the State, Judge King in the early years of his connection with railroad operations built the Atlanta and West Point Railroad, and under his direction as its president it became one of the most profitable railroad enterprises in the country, though like other Southern roads it suffered considerable losses during the war.

Judge King remained in active control and management of the Georgia Railroad until May, 1878. During this long period — over a third of a century — he was a leading spirit in the railroad development of the South, and to no one is the State of Georgia more indebted for its present facilities than to him. Commencing with the incipient stages of railway transportation in America he found a field where his great talents could be more congenially employed than in the political arena, and with all the energy of his nature, unusual executive and administrative ability, he gave himself up heart and soul to the material development of his State and section. He succeeded in his endeavor as he had succeeded in every thing he undertook, but in that success the people of the whole State shared, and are still reaping the immeasurable benefits of his exertions.

Judge King while connected with railroad management studiously abstained from politics, but in 1865 he was prevailed upon to take a seat in the Constitutional Convention of that year, where his sound judgment, patriotism and eminently practical wisdom largely influenced its action. James Johnson was the provisional governor of Georgia under President Andrew Johnson's plan of reconstruction, and all looked forward with confidence to the re-admission of the Southern States to the Union on the known liberal terms of President Lincoln, but the dispute between President Johnson and Congress defeated these moderate measures, and rendered the work of the convention nugatory.

Judge King was one of a few public-spirited citizens of Augusta who projected the Augusta Canal, which was commenced in 1845, and was also an influential stockholder in the early days of the Augusta factory.

At the time of his retirement from railroad life Judge King had nearly completed his four-score years, and he then withdrew from active business into the retirement of private life. For nearly forty years he was president of the Georgia Railroad. For ten years he had been living a retired life. His winters were passed in the wooded seclusion of the Sand Hills; his summers sped away on the heights of North Carolina, and the lengthening shadows, sloping peacefully to the horizon, seemed to trace in heroic outlines the characters of a remarkable life. After a brief illness of only a few days, he died of congestion of the lungs on Monday, March 19, 1887.

In reviewing the career and achievements of Judge King we find in his stately and symmetrical character much to admire, much that is worthy of emulation. By his own energy, integrity, physical and mental activity, and unswerving devotion to justice and right he attained a high place in the confidence of his fellow-citizens, and might have won a still higher niche in the temple of political fame had not his tastes and inclinations drawn him from the political arena to the financial world, where his remarkable abilities, natural and acquired, could find fitting scope. He was a close student and a vigorous and forcible writer, as his numerous contributed articles to the journals of the day during important political crises so clearly revealed. Well versed in the public affairs of his own country, in which he was thoroughly abreast of the time, he also had an intimate knowledge of political affairs in the old world. To his high courage and indomitable will were added many of the social virtues, and while ever a resolute antagonist when occasion demanded, he was also a genial friend and warm sympathizer with human distress and suffering. Through every movement of his business and private life there shone a rigid and unflinching integrity which never yielded to any stress of circumstances, and was never misled by any plausible consideration of policy. In his public career and private life he was recognized as an upright, honest man, who turned aside with manly and unwavering detestation from the devious paths into which the managers of great business enterprises are often tempted, and he passed away at an age allotted to few men, not only without a stain on his professional, public or business record, but conspicuous among all who knew him for his unbending integrity.

The rector of St. Paul's beautifully says of his declining years. "He gathered a library such as none but a man of wide reading and rare intellectual taste could ever collect. The masters of the world's thought in literature, in history in science and philosophy looked out from the shelves where he had enthroned them They had been the companions of his life, in the Senate of the United States, in his office or in his home. But in his last years there was one book which seemed to separate itself from all other books, and gradually absorbed the whole study of his later life. Day after day and sometimes far into the night in the soft glow of the lamp-light, I have seen him with his New Testament before him, as only a man of trained mind can absorb himself, in the untiring study of that book of good."

Mr. King married in 1842 the only daughter of Mr. John Moore Woodward, of New York City. Their eldest daughter married (first) in 1872, the Hon. Henry Wodehouse, of the British Embassy in Paris, who died the next year in diplomatic service in Athens, Greece, and (second) the Marquis of Anglesey in 1880. The second daughter married John Berrien Connelly of Burke county, and the third, Louise Woodward King, died unmarried in 1879. The latter was distinguished at home and abroad for her active efforts on behalf of dumb ani-

mals. She obtained the enactment of a State law for the prevention of cruelty to animals, and organized a society for the purpose of enforcing that law. She was also the originator and founder of the Louise King Home for Widows in this city. The only son, Henry Barclay King, who married in 1884 a daughter of Mr. O. E. Cashin, of Augusta, graduated with honors at the University of Oxford, England, in 1867.

YOUNG, WILLIAM B., of Augusta, was born in Columbia county, Ga., in 1838, and is the son of Allen C. and Elizabeth (Dye) Young, the former of English and the latter of Irish descent, his paternal ancestors being among the early settlers of Maryland and Virginia. In 1844 he came with his parents to Augusta where his early education was received in the Augusta Free School. At the early age of twelve years he began a practical business career as a clerk, serving in that capacity for four years. He then was employed for three years in the car shops of the Georgia Railroad. Then to further perfect his business education he attended school for one year, after which he became bookkeeper in a grocery store. In 1859 he became a partner in the grocery house of James A. Ivey & Co., and at the time when the war between the States began was conducting a successful business.

At the time of the beginning of hostilities Mr. Young was a member of the Richmond Hussars, a well-known military company organized prior to the war. This company volunteered in the defense of the Confederacy in the early part of the year 1861, Mr. Young at the time being first corporal. It was assigned to Cobb's Georgia Legion, General Hampton's command, General Stuart's corps of the Army of Northern Virginia, serving in this department of the army during the entire progress of the war. Corporal Young was promoted to rank of first lieutenant in 1862, and in 1863 was made captain of the company. Captain Young participated in all the severe fighting in which his command engaged until his capture by the Federals in 1864, including the battle of Seven Pines, engagements around Richmond in 1862—conspicuous for the destructive battle of Cold Harbor and Malvern Hill; second battle of Manassas, Harper's Ferry and Sharpsburg, the heavy cavalry fighting by General Stuart around Fredericksburg, which included the battle of Brandy Station and Culpepper. This service was followed by the battle of Chancellorsville, General Stuart's almost constant cavalry fighting between Leesburg and the Blue Ridge and his famous raid through Maryland and Pennsylvania. The battle of Gettysburg and the memorable engagements in the Wilderness quickly followed. In one of the cavalry raids in the Wilderness, Captain Young was captured, and for fourteen months was confined as a prisoner of war at the old capitol prison, Washington, D.C., and at Fort Delaware. During his period of service Captain Young was wounded three times, but was never incapacitated for duty. For the first three years of the war few took part in more active, continuous field service than

William B Young

Captain Young. Through it all he bravely and courageously did his duty and gained a record as a soldier, of which he has a right to feel a justifiable pride.

After his release as prisoner of war in 1865 Captain Young returned to Augusta and secured employment as bookkeeper, continuing in such service until 1873. He then became a member of the wholesale grocery firm of Young & Hack, retiring in 1886 after a very prosperous career in this line of trade.

In 1870 Captain Young was elected a member of the city council of Augusta, and has served the city almost continuously in this capacity ever since. He has proved a most valuable member of the city government, and has been foremost in advocating all public improvements, being ever ready to devote his time and energies to whatever has promised to promote the best interest of the people. He has served on all the important committees of the council, and has been chairman at different times of the committees on finance, canals, streets and drains, police, health, waterworks and engine. His long experience in the management of city affairs has made his services especially valuable, and few are more often consulted concerning questions of public policy, or whose suggestions are more favorably received by the people He has also taken a deep interest in the cause of popular education and for the last ten years has been a member of the board of education of Richmond county.

In the business life of Augusta for several years Captain Young has been an important factor. In 1881 he was made president of the Richmond Factory, and his management of this enterprise since has been highly satisfactory. He was secretary and treasurer of the Augusta, Gibson and Sandersville Railroad from the inception of the enterprise until it was completed, and has since been a director. He was a director in the Augusta and Knoxville Railroad, and now holds a similar relationship to the management of the National Exchange Bank, the Augusta Savings Bank, and is a director and secretary of the Augusta and Chattanooga Railroad, now in course of construction. Since 1886 he has been cashier of the Augusta Savings Bank, his duties in the management of this institution and of the Richmond Factory principally engaging his time and energies.

Since 1859 Captain Young has been a member of the Masonic fraternity, and has taken a deep interest in the workings of this ancient order. He has held various offices of high rank and has been grand commander of Knight Templars of Georgia, the highest position in the State. He was an active worker in securing the erection of the Masonic Hall in Augusta, and is a member of the board of trustees.

Captain Young is one of the most liberal and progressive citizens of Augusta, and cheerfully extends his aid and influence to all deserving public enterprises. As a business man his career has been highly successful and in every way commendable. His personal integrity is above reproach, and his connection or identification with any movement insures public confidence in the

undertaking. He is a man of the most exemplary habits, agreeable and affable in disposition and easily wins and holds his friends. His life has been an active one, and his career is alike honorable to himself and worthy of imitation.

He was married in 1871 to Miss Key, daughter of Rev. Caleb Key. They have three children, two boys and a girl. Their home is a happy one and here Captain Young finds his chief source of happiness.

WALSH, HON. PATRICK. Few men of the present generation have done as much for Georgia as the Hon. Patrick Walsh, of Augusta; and no man in the city has done more for the advancement of that municipality. Alike in State and local matters Mr. Walsh has for years been a safe adviser and steadfast friend.

Mr. Walsh was born in Ballingary, County Limerick, Ireland, on January 1, 1840. While he was of very early age his father and two brothers emigrated to America and settled in Charleston, S. C., where, in 1852, Mr. Walsh joined them in company with his mother and sisters. Here the future editor at once went to work, being apprenticed to the Charleston *Evening News* to learn the printer's trade. At the age of eighteen he was master of the typographic art, and became his own man as a journeyman printer. The press he adopted as a profession, and with the foresight and prudence so characteristic of his nature at once devoted himself to a careful preparation for the manifold requirements of that most exacting calling. Like so many other men who have wrought themselves forward into honorable prominence in the grand arena of life, Mr. Walsh was confronted at the outset of his career with that true saying:

"Slow rises worth by poverty oppressed."

The yearnings of the lad for an education which should fit him for the career his ambition depicted were chilled by the hard necessity of daily toil; but difficulty is only a spur to one of the right mettle, and Mr. Walsh fought the battle of life and the struggle for knowledge simultaneously. Just as Alexander H. Stephens taught school by day and studied law by the glare of lightwood knots at night, just as Hugh Miller used mallet and chisel from dawn to dusk, and then far into the hours of darkness wrought out the geological secrets of the earth, so during the academical hours of the day Mr. Walsh was a most diligent student at the Charleston High School, and in the afternoons and at night worked as a compositor in the newspaper offices of the city. By this untiring double industry he soon found himself prepared to enter college and with a modest fund in hand to sustain him while further pursuing his studies, and in 1859 became a student of that venerable and renowned seat of learning, Georgetown College, in the District of Columbia. His progress here was rapid, and but for the gathering war-clouds which then began to overshadow the country, he would have graduated in due course with distinguished

honors. But in December, 1860, South Carolina seceded; in April, 1861, the sullen boom of the opening gun reverberated through Charleston Harbor; and forthwith closing his books the student returned home and joined the Meagher Guards, one of the companies of the First South Carolina Rifle Regiment, then on duty on Sullivan's Island. On the reorganization of the South Carolina forces the Meagher Guards became the Emerald Light Infantry, and Mr. Walsh was commissioned as one of its lieutenants and stationed at Castle Pinckney. His two brothers also entered the Confederate service. Then the blockade becoming established the pinch of want became felt throughout the unfortunate, beleaguered Confederacy. An aged father and mother and two dependent sisters demanded assistance, and on Mr. Walsh as the youngest son and brother was devolved the sacred task. In August, 1862, he came to Augusta in search of employment, and became a printer on the *Constitutionalist*. In January, 1863, he was promoted to be local and night editor, the latter a most responsible position in those times, when each night the wires brought news of life and death.

In 1864 Mr. Walsh, in conjunction with Mr. L. T. Blome, then an Augusta journalist, and afterward for a quarter of a century the valued and efficient clerk of the city council, began the publication of the *Pacificator*, a weekly paper which obtained an extended circulation throughout the South, and was continued until June, 1865. In founding this journal Mr. Walsh foresaw the approaching end of the struggle, so glorious and yet disastrous, and with his usual sagacity sought to outline a policy which might secure the South honorable terms. For months he was so far in advance of public sentiment that his efforts failed to meet response, and when, finally, the Confederate government aligned itself upon his idea and sent Vice-President Stephens to negotiate at the famous Hampton Roads Conference, the golden moment had passed, and nothing remained but to await in silent heroism the bitter end.

Mr. Walsh's prescience in public affairs has been often signally manifest, but this early manifestation of the soundness of his judgment is almost unknown. Had his views been acted upon promptly, as they were ultimately, by the Confederate government, precious blood would, in all human probability; have been spared, and years of agony, impoverishment, and retardation averted.

In November, 1866, Mr. Walsh severed his connection with the *Constitutionalist*, and became one of the editorial staff of the *Chronicle and Sentinel*, then published by Mr. Henry Moore, and edited by General A. R. Wright. After the death of General Wright, Mr. Moore sold his interest in the paper in May, 1873, to Mr. Walsh and Mr. H. Gregg Wright, son of the general. Mr. Wright edited the paper with great brilliancy and power, and Mr. Walsh managed its affairs and directed its policy so wisely and so well that in 1877 it absorbed the *Constitutionalist*, its rival for over half a century. Upon the consolidation, the name of the paper was changed to the *Chronicle and Constitu-*

tionalist, but in 1885, the centennial of the *Chronicle*, the latter portion of the name was dropped, thereby resuming the original style under which the journal first appeared in 1785. The career of the *Chronicle* from 1866 to the present time is well known. It has steadily risen in dignity, value and influence, until at this hour it is without a superior in the field of Southern journalism. From 1866 to the date of this writing, the firm and cautious hand of Mr. Walsh has been at the helm, and while in the vicissitudes of twenty-three eventful years there have at times been divergencies of view between the *Chronicle* and current public opinion, the verdict of time has almost uniformly been in favor of the paper. Sometimes the helmsman sees rocks not discernible to the crew; not infrequently the sentinel on the watch-tower discerns perils not apparent to the garrison. The record of the *Chronicle* on the public questions of the last quarter of a century is probably unparalleled for wisdom of position and accuracy of view.

The value of such a journal to the city, the State, and the whole South is beyond estimation, and if Mr. Walsh had done nothing else than to build up so potent an auxiliary for good, his life would be a benefaction to the people whose interests he has watched and whose welfare he has guarded. But, to adopt a phrase from Shakespeare, "the people know a good man when they find him," and the popular favor has brought Mr. Walsh forth to do them service in other than journalistic fields. In looking over the history of the past twenty years we find that in times of exigency, State or municipal, Mr. Walsh has been looked to and relied on.

In 1870, when, after a period of turmoil and distress, the government of the State reverted back into the hands of its own people, the public attention, no longer fixed on the glitter of bayonets, was directed to measures of industrial improvement, Augusta in particular shared this impulse, and in 1870, and again in 1871, and in 1872 Mr. Walsh was elected a member of the city council. In this body he strongly favored the enlargement of the Augusta canal, a work which was carried into execution some few years later, and has made the city one of the most important centers, if not, indeed, the most important cotton manufacturing city in the South. In 1872 Mr. Walsh was elected to the Legislature, re elected in 1874, and again in 1876. During this extended term he made himself prominent by much legislation of general interest. In particular he was largely instrumental in securing the holding of the State Constitutional Convention of 1877. He was a warm and effective supporter of every measure looking to the development of the mining and the manufacturing interests of the State. He favored exempting from taxation for ten years money invested in woolen mills, cotton factories and iron furnaces; and advocated State aid to the Atlantic and Gulf, the Northeastern, and the Marietta and North Georgia Railroads. He was in favor of all legislation having in view the furtherance of the moral, educational, and material interests of

the State, and believed in the policy of State aid to public works, when it could be extended with a due regard to the public welfare.

Mr. Walsh also favored the State granting pensions to maimed Confederates; and at the instance of some benevolent ladies of Augusta had a statute enacted which makes cruelty to animals a criminal offense—humane and honorable legislation, which has been perfected and strengthened in late legislatures, and has saved man's humble friend and servant a world of agony and torture.

In the South Carolina campaign of 1876 Mr. Walsh signally manifested his wisdom as a political leader, and his power as a political writer, by his course in reference to the conduct of the canvass in that State. The spectacle of this proud State of his early home bowed down between negro supremacy on the one hand and Federal bayonets on the other powerfully appealed to his heart. How to effect deliverance was the burning question of the day in which Georgia took almost as deep an interest as the people of the Palmetto State themselves. Mr. Walsh counseled a straight out ticket and a square fight for the control of the State by its own citizens. This policy was advocated by the *Chronicle* with a power and persistency that was eloquence itself. The wisdom of this aggressive course under the then peculiar environments of the State was doubted by some, but as usual Mr. Walsh's sagacity was vindicated by results. The redemption of South Carolina from misrule became an accomplished fact, and after sixteen long years of turmoil and anxiety the State was once more represented in Congress by her own sons.

In 1880 Mr. Walsh's soundness of judgment again manifested itself in a signal manner. Governor Colquitt was a candidate for re-election as governor of Georgia. A fight unprecedented in the political history of the State was made upon him, and in the most exciting convention ever held in Georgia, a powerful and talented body of delegates steadily resisted his candidacy, iterating and reiterating that he was not the people's choice. Mr. Walsh took issue with this statement, and carried the majority of the convention with him, but so bitter was the contest and strong the opposition that no regular nomination was made Governor Colquitt was re-elected by an overwhelming majority, and Mr. Walsh's prescience most signally manifested. During this struggle some of the most influential members of the convention, representing the minority, approached Mr. Walsh and tendered him their support if he would consent to become a candidate for the nomination. But this offer was declined, as Mr. Walsh could not reconcile it with his duty to accept a nomination if tendered under such circumstances. He considered that it would be the betrayal of a trust and the desertion of a friend who had placed his cause in his keeping.

In 1884 Mr. Walsh was one of the delegates from the State at large to the Chicago Convention. He was made the member of the National Democratic Executive Committee from Georgia, and had his advice been heeded the vic-

tory of 1884 would have been duplicated in 1888. With all his power he strove against the adoption of the policy outlined in the Mills Bill as certain to result in disaster to the National Democracy. Mr. Walsh believes in the policy of protection to American interests. He thinks that the tariff should be so arranged as not only to afford the necessary revenue for the support of the government, but to protect, at the same time, all legitimate American industries. The labor and the capital of the country, in whatever business engaged, whether in agriculture, manufactures or mines, is entitled to the protection of the government from foreign competition, not for monopoly or for extortion, but to enable our people to receive fair compensation for their capital, labor and products.

Mr. Walsh has been an earnest supporter of all movements looking to better government for the Irish people. He considers it the duty of American citizens to aid in every way the people of Ireland, as well as the people of other countries who are struggling for their rights against the oppression and tyranny of monarchial governments. He believes that the agitation of Irish grievances, constant appeals to the intelligent public opinion of the world, and moral support and substantial aid from the Irish and their sympathizers in the United States will result in the triumph of those principles in Ireland essential to the peace and happiness of her people.

In August, 1866, Mr. Walsh married Ann Isabella, daughter of Mr. and Mrs. John E. McDonald, of Edgefield District, S. C. She has been to him his best counselor and dearest friend. Whatever success he has achieved in life has been due largely to her who has blessed him with the advice, the affection and the love of a devoted wife.

In appearance Mr. Walsh is a striking personage, thick set, well knit, firm in his bearing. He has a kind, friendly face, a clear, blue eye, and a countenance often illuminated with a genial glow. In speaking, his voice is strong, his gestures emphatic, and his manner so earnest and impressive as to command attention. He writes as he speaks, with dignity, decision, candor and strength. His integrity is spotless; his friends, legion, as befits a character, which, under every test, has proven the pure gold of fidelity and truth.

MITCHELL, ROBERT M., was born at Lynchburg, Va., on April 12, 1845, and is a son of Robert M. and Mary Mitchell. His parents were of Scotch descent, their ancestors having emigrated from Scotland and settled in America in 1732. The youth and boyhood of the subject of our sketch were passed at home. He was educated at the city schools and Lynchburg Military College.

When he left the school room the greatest war of modern times had just begun, and he immediately cast his fortune with the people of his section, and on April 17, 1861, entered the Confederate service as lieutenant of Company

A, Eleventh Virginia Regiment, Kempers Brigade, Picketts Division, Army of Northern Virginia, and served in all the memorable engagements of this command until the surrender at Appomattox Court House, including the battles of Bull Run, First Manassas, Yorktown, Williamsburg, Seven Pines, Harrison Landing, Second Manassas, Boonsboro, Antietam, Plymouth, Drury's Bluff, Fredericksburg, Gettysburg, and Five Forks. He was four times wounded in action, and dangerously so during Grant's left flank movement on Richmond. In the famous charge of Pickett's division on Cemetery Heights, at Gettysburg, Captain Mitchell commanded the left wing of the regiment, and while leading his command was wounded in the side and arm, after passing the historic rock fence where the storming column pierced the Federal center. During this destructive battle to the valiant members of Pickett's division, he escaped capture and was at the roll call of the division on the night of July 3, 1863, when only 400 men of the 5,500 who entered the engagement answered. There are few, if any incidents in the war between the States which furnish a more inspiring and heroic picture than the daring charge of "Pickett's men" on this occasion, and their courage and valor adds one of the brightest pages to the military annals of our times. Mr. Mitchell shared all the dangers and hardships of this justly distinguished portion of the Confederate army, and was in command of the Eleventh Regiment until the battle of Five Forks.

For two years subsequent to the war, Mr. Mitchell engaged in mercantile pursuits, but in 1868 he moved to California, and until 1870 was engaged in mining operations near Yreka, Siskiyou county. He then passed two years in Texas and Mexico, but in 1872 moved to Augusta, Ga., from Virginia, where in November of the following year he was married to Miss Lucie Reaney, the younger daughter of Mr. William Reaney, of McDuffie county. They have had four children — three daughters and a son — in order of birth as follows: Marie A., Hattie R., Fannie L., and Robert M., jr.

For five years prior to 1883 Mr. Mitchell was connected with the staff of the Augusta *Chronicle and Constitutionalist*, and in the field of journalism displayed unusual ability, but it was not the kind of work calculated to call forth the best resources of his nature. That opportunity came in the fall of 1883, when he conceived the project of building a railroad from Augusta to Sandersonville. At this time he was practically without capital, and many doubted the feasibility of the plan. But with unlimited faith in the enterprise and backed almost solely by a strong determination to succeed, he went to work with all the energy of his nature. He enlisted capital, and in a short time organized the company which has since been known as the Augusta, Gibson and Sandersville Railroad Company. Work was soon commenced, and during the period of construction all of the financial management of the venture fell upon Mr. Mitchell, and so well did he succeed in this particular that when the road was completed and opened for business, in December, 1886, there was not a dol-

lar of debt against the company for its construction. This road has been in successful operation since; has paid its way, and to-day its bonded indebtedness per mile is perhaps smaller than any other road of the same length in the country. Mr. Mitchell was elected president in 1883, and from that time to the present, as canvasser for subscription to the original capital stock, as negotiator of its securities and as general manager of the road, he has shown such good business judgment and such excellent administrative ability that he has annually been elected to the presidency of the company.

In 1886 he organized the Augusta, Edgefield, and Newbury Railroad Company, afterwards known as the Georgia and Carolina Midland. He was made president of the company, and under his administration some sixty-five miles of this line were graded, but the management and extension of roads in Georgia demanding his attention, he retired from the presidency. The road was then consolidated with the Charleston, Cincinnati and Chicago Railroad Company, Mr. Mitchell declining a most advantageous offer from the authorities of the consolidated roads.

The completion and successful operation of the Augusta, Gibson and Sandersville road has but feebly demonstrated to Mr. Mitchell the feasibility and possibility of other lines which he has projected, using the present road as a basis. One of these projected lines extends through Eatonton, Monticello, and Griffin, to Birmingham, Alabama. The company also holds a charter for a road through Hawkinsville and Albany to St. Andrew's Bay, and the same privilege to construct a line from Augusta to Thomasville.

For the purpose of developing and building up towns and selling land on the line of the Augusta, Gibson and Sandersville road, and the projected lines, the Central Georgia Land Company was formed in 1888, with an authorized capital of $1,000,000. Of this company Mr. Mitchell is president.

As a railroad builder and manager, Mr. Mitchell has shown remarkable shrewdness and clear business foresight. He is well fitted by nature for the field in which, in a brief space of time he has made such rapid strides. He possesses in a large degree that energy, determination, and patience which does not understand defeat. He has the power to most forcibly impress upon others his own clearly defined views, while at the same time he begets their confidence and secures their co-operation. What he has already accomplished, important as it is to the prosperity of Augusta, is but a foretaste of what he hopes to achieve for the upbuilding of the city.

Personally Mr. Mitchell is a genial, affable gentleman, easily makes and retains friends, is fond of social intercourse, but finds his chief pleasure within the family circle. He is a hard worker, enthusiastic in any project he undertakes, and when once embarked in an enterprise he follows it persistently until success is secured. In the material prosperity of Augusta he has already become an important factor, and in the years to come his career promises much of good to the State and city of his adoption.

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